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The situation in the Middle East

Measures to eliminate international terrorism

Identical letters dated 7 June 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing to draw your attention to the most recent terrorist attacks perpetrated against Israeli civilians in a series of increasingly intensifying Palestinian terrorist activities.

Early this morning, Hamas terrorists fired a volley of Qassam rockets at the Israeli town of Sderot. The rockets hit Israeli homes, wounding a mother and her two daughters — ages 6 and 18. The town of Sderot has been plagued by numerous Qassam rocket attacks initiated by Palestinian terrorists over the past four and a half years. The Sderot attack comes on a day marred by several other attacks perpetrated by Palestinian terrorist organizations against Israeli civilians, including the shelling of the Israeli community of Ganei Tal by the Islamic Jihad terrorist organization, in which three agricultural workers (two Palestinian and one Chinese) were killed and six other workers (all Palestinian) were wounded.

Hamas, and other Palestinian terrorist organizations, continue to perpetrate attacks against Israeli civilians unimpeded and unchecked by the Palestinian Authority. Moreover, there have, unfortunately, not been any significant moves by the Palestinian Authority to freeze terrorist organizations' assets, prosecute their members or police them in any way. This is in direct contradiction to the obligations that the Palestinian Authority assumed under the guidelines of the road map and the Sharm el-Sheikh Summit understandings.

I would like to stress that Palestinian terrorism persists at the same moment that Israel is preparing its disengagement from the Gaza Strip. In the interests of furthering the peace process, Israel has been exercising restraint in the face of this ongoing and intensifying terrorist activity. Nevertheless, Israel's first priority was, is and will always be the security of its citizens.

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Israel once again calls upon the Palestinian Authority to fulfil its absolute duty to fight terrorism and to implement serious efforts to prevent terrorism and bring its perpetrators and supporters to justice. Israel takes this opportunity to once again advise the international community of its firm belief that the Palestinian Authority's failure to live up to its obligations to act against terrorism could carry ramifications for the future of the peace process in the region.

I should be grateful if you would arrange to have the present letter circulated as a document of the fifty-ninth session of the General Assembly, under agenda items 36 and 148, and of the Security Council.

(*Signed*) Daniel **Carmon**
Ambassador
Chargé d'affaires a.i.

United Nations S/2005/376

Security Council

Distr.: General
7 June 2005

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Report of the Secretary-General pursuant to Security Council resolution 1579 (2004) regarding Liberia

I. Introduction

1. The present report is submitted pursuant to paragraph 12 of Security Council resolution 1579 (2004) of 21 December 2004, in which the Council requested a report by 7 June 2005, drawing on information from all relevant sources, including the National Transitional Government of Liberia, the United Nations Mission in Liberia (UNMIL) and the Economic Community of West African States (ECOWAS), on progress made towards meeting the conditions stated in paragraph 1 of the same resolution. These conditions relate to the measures imposed against Liberia and Liberian individuals by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) of 22 December 2003, as renewed by paragraph 1 of resolution 1579 (2004).

2. By paragraph 2 (a) of resolution 1521 (2003), the Security Council decided that all States should take the necessary measures to prevent the sale or supply to Liberia, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, whether or not originating in their territories. In paragraph 2 (b) of that resolution, the Council further decided that all States should take the necessary measures to prevent any provision to Liberia by their nationals or from their territories of technical training or assistance related to the provision, manufacture, maintenance or use of the items noted in paragraph 2 (a).

3. By paragraph 4 (a) of resolution 1521 (2003), the Security Council decided that all States should take the necessary measures to prevent the entry into or transit through their territories of all such individuals, as designated by the Committee of the Security Council established by paragraph 21 of the resolution (hereinafter referred to as "the Committee"), who constitute a threat to the peace process in Liberia, or who are engaged in activities aimed at undermining peace and stability in Liberia and the subregion, including those senior members of former President Charles Taylor's Government and their spouses and members of Liberia's former armed forces who retain links to former President Charles Taylor, as well as those individuals determined by the Committee to be in violation of paragraph 2 of resolution 1521 (2003), and any other individuals, or individuals associated with entities, providing financial or military support to armed rebel groups in Liberia or in countries in the region.

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4. By paragraph 6 of resolution 1521 (2003), the Security Council decided that all States should take the necessary measures to prevent the direct or indirect import of all rough diamonds from Liberia to their territory, whether or not such diamonds originated in Liberia. In addition, by paragraph 10 of the resolution, the Council decided that all States should take the necessary measures to prevent the import into their territories of all round logs and timber products originating in Liberia.

5. In paragraph 5 of resolution 1521 (2003), the Security Council also expressed its readiness to terminate the measures imposed by paragraphs 2 (a) and (b) and 4 (a) of the resolution when it determines that the ceasefire in Liberia is being fully respected and maintained, disarmament, demobilization, reintegration, repatriation and restructuring of the security sector have been completed, the provisions of the Comprehensive Peace Agreement (see S/2003/850, annex) are being fully implemented and significant progress has been made in establishing and maintaining stability in Liberia and the subregion. Similarly, in paragraph 8 of the resolution, the Council expressed its readiness to terminate the measures referred to in paragraph 6 of the resolution when the Committee, taking into account expert advice, decides that Liberia has established a transparent, effective and internationally verifiable Certificate of Origin regime for Liberian rough diamonds.

6. In paragraph 12 of resolution 1521 (2003), the Security Council also expressed its readiness to terminate the measures imposed by paragraph 10 of the resolution once it had determined that the goals in paragraph 11 of the resolution had been achieved, including the National Transitional Government of Liberia establishing full authority and control over the timber-producing areas and taking all necessary steps to ensure that Government revenues from the Liberian timber industry are not used to fuel conflict or used otherwise in violation of the Council's resolution, but are used for legitimate purposes for the benefit of the Liberian people, including development.

7. By paragraph 18 of resolution 1521 (2003), the Security Council decided to establish the measures outlined in paragraphs 2, 4, 6 and 10 of the resolution for a period of 12 months. By paragraph 1 of resolution 1579 (2004), the Council decided to renew the measures on arms, travel and timber imposed by paragraphs 2, 4 and 10 of resolution 1521 (2003) for a further period of 12 months, and to review them after 6 months, and to renew the measures on diamonds imposed by paragraph 6 of resolution 1521 (2003) for a further period of 6 months, and to review them after 3 months.

8. The present report covers developments since my report dated 26 May 2004, (S/2004/428), pursuant to resolution 1521 (2003), and includes information from the National Transitional Government of Liberia, UNMIL and ECOWAS.

II. Information provided by the National Transitional Government of Liberia

9. By a letter dated 27 April 2005 (annex I) addressed to my former Special Representative for Liberia, Jacques Paul Klein, the Acting Minister for Foreign Affairs of Liberia transmitted reports prepared by the Ministry of National Defence (enclosure 1), the Ministry of Justice (enclosure 2), the Ministry of Lands, Mines and Energy (enclosure 3) and the Forestry Development Authority (enclosure 4) on

progress made in meeting the conditions outlined in resolution 1521 (2003). The General Manager of Roberts International Airport also submitted a letter dated 20 April 2005 (annex II) directly to my former Special Representative.

A. Arms embargo

10. In his submission (see enclosure 1), the Minister of National Defence reports that the National Transitional Government of Liberia is working with regional Governments, the United Nations and the African Union to ensure that disarmament is carried out within the subregion. He recommends that the arms embargo should not be lifted until the armed forces of Liberia have been restructured and all regional hostilities have ended. He also proposes that the United Nations remain in charge of State security until Liberia's security sector has been successfully restructured.

B. Travel ban

11. The Minister of National Defence also states in his report (see enclosure 1) that his Ministry is in regular contact with the United Nations to ensure that the travel ban list is reviewed and updated periodically. In his letter addressed to my former Special Representative (see annex II), the General Manager of Roberts International Airport states that, given their "financial potential", the individuals on the travel ban list continue to pose a significant risk to the peace process.

C. Diamond sanctions

12. In the summary of activities provided by the Minister of Lands, Mines and Energy (enclosure 3), the Minister reports that the National Transitional Government of Liberia is doing everything possible to meet the requirements of the Kimberley Process certification scheme. In July 2004, the National Transitional Legislative Assembly passed an act legalizing the Kimberley Process certification scheme in Liberia. From 27 to 29 October 2004, a Liberian delegation attended the annual meeting of the Kimberley Process certification scheme in Ottawa. In addition, the Ministry is organizing alluvial miners into mining cooperatives in order to increase control over the industry, as required by the Kimberley Process certification scheme. Moreover, 65 mineral inspectors and 46 mining agents have been trained and assigned to the interior of the country to institute Kimberley Process certification scheme procedures.

13. The National Transitional Government is also constructing a Kimberley Process certification scheme centre, which will provide a database for mineral production, sales and exports. The centre will contain diamond and gold appraisal units, as well as administrative offices. The National Transitional Government has also printed a Kimberley Process certification scheme "certificate" for Liberia, which is to be used once the sanctions are lifted and diamond exportation resumes. In addition, the Ministry of Lands, Mines and Energy, together with UNMIL, conducts joint surveillance and patrolling of border and mining areas.

14. In his report, the Minister of National Defence (enclosure 1) states that the National Transitional Government has established a transparent and internationally

verifiable certificate of origin regime for trade in rough diamonds and has satisfied all conditions for inclusion in the Kimberley Process. He suggests that it would be prudent to lift the sanctions to enable Liberians, in particular ex-combatants, to take advantage of employment opportunities in the diamond sector.

D. Timber sanctions

15. In his letter (enclosure 4), the Managing Director of the Forestry Development Authority reports that the Forestry Development Authority has worked closely with the Liberian Forest Initiative, an international non-governmental organization, to ensure that the necessary reforms are undertaken at the Forestry Development Authority. In that regard, it has hired a new comptroller to ensure financial accountability and transparency and has fully deployed staff to the five regional offices of the newly renovated Forestry Development Authority. He states that these steps should reassure the Security Council that timber revenues are being transparently collected and deposited in the timber revenue account established at the Central Bank of Liberia. He concludes by noting that sanctions have had an adverse impact on the lives of several thousand Liberians who rely on the timber industry for employment and argues that sustainable peace can only be achieved if Liberians are provided with the opportunity to work to rebuild their lives and communities.

16. In his report (see enclosure 1), the Minister of National Defence notes that the imposition of sanctions against timber was necessary to deprive warlords and combatants of revenue and to ensure that the forest areas were brought under the control of the National Transitional Government. He suggests that it would be prudent to maintain the timber sanctions until appropriate laws are enacted in order to ensure careful review of forestry industry revenues and reforestation policies. The General Manager of Roberts International Airport is also in favour of maintaining sanctions. He states that the National Transitional Government has not been able to take positive steps to establish control over Liberia's natural resources and that it will certainly not be able to do so when the sanctions are lifted (see annex II).

III. Information provided by UNMIL

17. The Security Council has not given UNMIL the mandate to monitor or enforce the measures imposed by resolution 1521 (2003), as renewed by resolution 1579 (2004). UNMIL has nevertheless been mandated with a number of responsibilities that have a bearing upon the implementation of those measures.

18. In paragraph 3 (p) of resolution 1509 (2003) of 19 September 2003, the Security Council mandated UNMIL to assist the National Transitional Government, in conjunction with ECOWAS and other international partners, in re-establishing national authority throughout Liberia, including the establishment of a functioning administrative structure at both the national and local levels. UNMIL was also mandated by paragraph 3 (r) of the same resolution to assist the National Transitional Government in restoring proper administration of natural resources.

19. In addition, by paragraph 23 of resolution 1521 (2003), the Security Council welcomed UNMIL's readiness, within its capabilities, its areas of deployment and

without prejudice to its mandate, to assist the Committee and the Panel of Experts (established by paragraph 22 of the same resolution and later re-established by paragraph 8 of resolution 1579 (2004)), in monitoring the measures imposed by the resolution. By paragraph 10 of resolution 1579 (2004), the Council called upon UNMIL to continue to assist the Committee and the Panel of Experts in accordance with paragraph 23 of resolution 1521 (2003). In addition, in paragraph 25 of resolution 1521 (2003), the Council encouraged the National Transitional Government to undertake, with the assistance of UNMIL, appropriate actions to sensitize the Liberian population to the rationale of the measures in the resolution, including the criteria for their termination.

A. Activities of the United Nations Mission in Liberia with a bearing upon the implementation of the Security Council measures imposed against Liberia and Liberian individuals

20. UNMIL is supporting the National Transitional Government in its efforts to meet the conditions related to the measures imposed by the Security Council in paragraphs 2, 4, 6 and 10 of resolution 1521 (2003), as renewed by paragraph 1 of 1579 (2004). In that regard, the Mission has established a Working Group on Sanctions to coordinate the sanctions-related activities being undertaken by UNMIL's military, civilian police, civil affairs, legal and judicial support, as well as environment and natural resources components. The Working Group meets regularly to discuss the implementation of the measures imposed by resolutions 1521 (2003) and 1579 (2004) and to provide, as and when requested, information and support to the Panel of Experts appointed pursuant to resolution 1579 (2004).

21. During their visits to Liberia, UNMIL provides members of the Panel of Experts with logistical and administrative support, including office facilities, transportation and security. In that regard, the Mission has provided security escorts and air support to Panel members for aerial reconnaissance missions. UNMIL provided similar support to the Kimberley Process expert mission, which visited Liberia from 14 to 18 February 2005, to assess the country's state of readiness to participate in the Kimberley Process certification scheme.

22. While performing their core responsibilities, UNMIL's civilian police personnel deployed at the borders, the Freeport of Monrovia and the Roberts International Airport monitor commercial or criminal activities suspected to be in violation of the sanctions, as well as the movement of individuals who may be the subject of travel ban restrictions. In that regard, specialist officers from the Mission's Major Crimes Investigations Unit and the Civilian Police Commissioner's office assist in investigating and following up on sensitive cases.

23. UNMIL's military component assists Government agencies, including customs, immigration and the Liberia National Police, in securing compliance with the sanctions measures. The Mission maintains checkpoints throughout the country and conducts air and ground border patrols to monitor the movement of persons, arms and other items subjected to sanctions. It also follows up on intelligence related to sanctions violations and conducts cordon and search operations to retrieve arms and ammunition. UNMIL's military component also coordinates its activities with the United Nations Mission in Sierra Leone (UNAMSIL) and the United Nations

Operation in Côte d'Ivoire (UNOCI) and shares information on illegal border activities.

24. UNMIL's Civil Affairs officers support governmental authorities in their efforts to restore and consolidate State authority throughout Liberia. They maintain close liaison with the Ministry of Lands, Mines and Energy and the Forestry Development Authority and also advise them on the steps needed to meet the conditions for the lifting of diamond and timber sanctions, respectively. In the course of performing their core duties, Civil Affairs officers assigned to the counties also monitor the steps being taken by the Ministry of Lands, Mines and Energy and the Forestry Development Authority to meet the conditions for lifting the sanctions.

25. UNMIL's Environment and Natural Resources Unit works closely with the Forestry Development Authority and assists in building the capacity of the forestry sector. In the course of their activities, the Environment and Natural Resources Advisers, together with Civil Affairs Officers assigned to the forestry sector, monitor the steps taken by the National Transitional Government to meet the conditions for the lifting of timber sanctions.

26. UNMIL's Legal and Judicial Support Unit liaises with the Ministry of Justice on the measures imposed by Security Council resolution 1521 (2003), as renewed by resolution 1579 (2004), in particular those measures related to the travel ban, and also serves as a point of contact between the Ministry and the Committee.

27. UNMIL's Public Information Unit assists the National Transitional Government in sensitizing the public on a range of issues related to the sanctions. UNMIL radio broadcasts programmes on sanctions, which feature members of the Panel of Experts, representatives of civil society and journalists. At the same time, UNMIL also brings to the attention of relevant parties, including the Governments of neighbouring States and those States whose airports receive and send commercial flights to and from Liberia, amendments to the travel ban list maintained by the Committee.

B. Progress towards meeting the conditions stated in paragraph 1 of resolution 1579 (2004)

28. The National Transitional Government has experienced mixed progress in meeting the conditions mentioned in paragraph 1 of resolution 1579 (2004).

1. Arms embargo and travel ban

29. Encouraging progress has been made in meeting the conditions that would eventually allow for the termination of the arms embargo and travel ban, as outlined in paragraph 5 of resolution 1521 (2003) and referred to in paragraph 1 of resolution 1579 (2004).

(a) Maintenance of the ceasefire

30. The security situation in the country, although fragile, has remained relatively stable. The disarmament and demobilization process officially ended on 3 November 2004 and the armed factions were formally declared disbanded on the same date. As a result, the activities of the Joint Monitoring Committee have ended.

(b) Progress in disarmament, demobilization, reintegration and repatriation

31. The number of combatants disarmed during the formal disarmament and demobilization process was 101,495, including 22,370 women, 8,523 boys and 2,440 girls. During the process, 28,314 light weapons, 33,604 pieces of heavy munitions and some 6.5 million rounds of small arms ammunition were collected. Since the formal closure of the disarmament and demobilization process, UNMIL has received 286 weapons, which were either voluntarily surrendered or discovered, as well as 31,171 assorted pieces of ammunition and 308 pieces of unexploded ordnance.

32. During the disarmament and demobilization process, 612 foreign ex-combatants were identified. The International Committee of the Red Cross recently assisted 34 individuals from this group, who were found to be children associated with fighting forces, to return to their countries of origin, including: 5 to Côte d'Ivoire; 16 to Guinea; and 13 to Sierra Leone. The remaining foreign ex-combatants are still awaiting repatriation. In April, a 389 Liberian former fighters interned in Sierra Leone were repatriated to Liberia, pursuant to an agreement between the Governments of Liberia and Sierra Leone.

33. Currently, close to 65,000 ex-combatants have yet to enter reintegration programmes. The successful implementation of the rehabilitation and reintegration process, through the provision of meaningful educational or vocational training opportunities for ex-combatants, continues to be delayed owing to a funding shortfall of $39 million. It is hoped that the generous pledges made by the United States of America, the European Commission and Sweden will be redeemed shortly and that additional funding will be provided by the international community to meet this funding deficit.

(c) Progress in restructuring the security sector

34. The restructuring of the police sector is making steady progress: 401 Liberian National Police and 33 Special Security Services officers have graduated from the National Police Academy; 436 recruits are currently participating in an initial three-month basic training; 684 cadets have moved on to field training; and 34 Special Security Service officers are in close protection training. The Liberian National Police has established its presence in all 15 counties. The restructuring of the armed forces, however, has progressed slowly, primarily because the Government lacks the funds to pay the pensions and separation packages of existing military personnel. The National Transitional Government estimates that $16.4 million is required to decommission the former armed forces of Liberia. On 15 May, the Chairman of the National Transitional Government, Mr. Charles Gyude Bryant, signed an Executive Order declaring that as of 31 May 2005, the demobilization and retirement process for members of the former armed forces of Liberia would commence. This decommissioning exercise is expected to be completed by September, following which, DynCorp, a company contracted by the United States to assist the National Transitional Government in the restructuring of the military, is expected to begin the recruitment and training exercise for the new armed forces.

(d) Progress in the implementation of the Comprehensive Peace Agreement

35. In principle, the implementation of the Comprehensive Peace Agreement will have been achieved when national elections are held and a new Government is

installed in Liberia. Thus far, progress achieved in the implementation of this Agreement has been mixed. Preparations for the 11 October 2005 national elections remain on track and the restoration of State authority throughout the country continues, although the Government still lacks the capacity to control and properly manage the country's resources. Tensions have continued however in the National Transitional Legislative Assembly, stemming from the suspension, on 14 March 2005, of the Speaker, his Deputy and the Chairpersons of the Ways and Means Committee and the Rules and Orders Committee for administrative and financial malpractice.

36. Several officials within the National Transitional Government have attempted to obstruct the conduct of the European Commission-financed audits of the Central Bank and five State institutions, as well as the activities of the ECOWAS team investigating allegations of corruption within the institutions of the National Transitional Government. In addition, some officials within the National Transitional Government have resisted implementing institutional reforms aimed at stopping corruption. These developments could potentially undermine the smooth implementation of the Comprehensive Peace Agreement.

37. On 11 May 2005, the European Commission convened a meeting of international partners, including ECOWAS, the International Monetary Fund (IMF), the United Nations, the United States Government and the World Bank, in Copenhagen, in order to review the findings of the European Commission-financed audits. The participants concluded that financial malfeasance, lack of transparency and an absence of accountability are undermining the implementation of the Comprehensive Peace Agreement. As such, it was agreed that an economic governance action plan would be developed, which would be presented to the National Transitional Government for implementation and also submitted for the consideration of the Security Council.

(e) Progress in maintaining stability in Liberia and the subregion

38. UNMIL's deployment throughout the country, combined with enhanced security measures in preparation for the organization of elections, has reinforced the stability of the country. However, a number of fundamental sources of domestic instability remain, including ex-combatants frustrated by delays in gaining access to reintegration opportunities, tensions within the National Transitional Legislative Assembly, as well as public reaction to corruption within the National Transitional Government and its inability to deliver basic services. Furthermore, various spoilers have attempted to derail the peace process, including supporters of former President Charles Taylor and serving Cabinet Ministers and legislators who are barred under the Comprehensive Peace Agreement from contesting the elections.

39. Former President Charles Taylor is reportedly in regular contact with his former business, military and political associates in Liberia and is suspected of sponsoring a variety of presidential candidates with a view to ensuring that the next Liberian Government will include his sympathizers. This issue requires the attention of West African leaders and the Security Council.

40. Within the subregion, the steady consolidation of peace in Sierra Leone has been a positive development. Cross-border liaison has been established between UNMIL and UNAMSIL and the situation in the border areas has remained stable. However, the possible draw-down of UNAMSIL during 2005 could affect future

border stability. Meanwhile, there are a number of possible external threats to Liberia's stability. Setbacks in the peace process in Côte d'Ivoire could have a negative effect, as evidenced by the influx of over 10,000 Ivorian refugees into Liberia in November 2004, following disturbances in Côte d'Ivoire. There have also been persistent reports that individuals from both sides of the Ivorian conflict are recruiting fighters from Liberia.

2. Diamond sanctions

41. Since my last report, the Ministry of Lands, Mines and Energy has taken a number of additional steps, as laid out in paragraph 7 of resolution 1521 (2003), towards establishing an effective, transparent and internationally verifiable Certificate of Origin regime for trade in Liberian rough diamonds. With the assistance of UNMIL and other international partners, including the United Nations Development Programme (UNDP) and the United States Agency for International Development (USAID), the Ministry has trained, equipped and deployed 65 mineral inspectors and 46 mining agents to the interior of the country, to institute Kimberley Process certification scheme procedures. At the same time, training workshops on mining cooperatives have been held for Ministry officials and artisanal miners. The United States has also committed $500,000 for the purchase of equipment for the inspection, certification and appraisal activities of the Ministry, while China has agreed to contribute $100,000 for surveying equipment.

42. The team of experts from the Kimberley Process certification scheme, which visited Liberia from 14 to 18 February 2005, reported that Liberia faced considerable challenges in enforcing the internal controls and monitoring systems required to maintain the effectiveness and integrity of the Kimberley Process certification scheme, with a key challenge being the absence of security and Government control in the diamond-producing regions. It also stated that Liberia still required considerable international support, including technical assistance, to meet the minimum requirements of the Kimberley Process certification scheme. Their report recommended that UNMIL's mandate should be broadened to include provisions authorizing the policing, monitoring and surveillance of diamond-producing areas. It also proposed that UNMIL should deploy as soon as possible to all diamond-producing areas to provide support to the Government.

43. Although the Kimberley Process expert mission's recommendations merit serious consideration, UNMIL currently possesses neither the enforcement mandate nor the troop capacity to implement them. Moreover, the Mission is currently focused on ensuring adequate security coverage for the electoral process. UNMIL would require an enforcement mandate and additional resources to effectively deploy to the diamond-producing areas to police and monitor diamond mining activities. In this regard, it may be prudent for a package of measures to be developed focusing on, inter alia, building the capacity of the Government, community empowerment and the deployment of diamond-mining, inspectors, police and other security personnel to assist the National Transitional Government in meeting the benchmarks for entry into the Kimberley Process certification scheme.

3. Timber sanctions

44. The National Transitional Government has not been able to establish full authority and control over the timber-producing areas nor to take all the steps necessary in order to ensure that Government revenues from the Liberian timber industry are not used to fuel conflict or used otherwise in violation of the relevant Security Council resolutions but are used rather for legitimate purposes for the benefit of the Liberian people, including development, as outlined in paragraph 11 of resolution 1521 (2003). It should be noted that the Forestry Development Authority remains constrained by a lack of capacity and expertise. However, in an initiative designed to increase financial transparency, the Forestry Development Authority has opened two dedicated accounts with the Central Bank of Liberia, to which all balances from other bank accounts have been transferred.

IV. Information provided by the Economic Community of West African States

45. In a letter dated 19 May 2005 from the Special Representative of the Executive Secretary of ECOWAS in Liberia addressed to the Officer-in-Charge of UNMIL (annex III), the Special Representative states that "whilst the National Transitional Government of Liberia has taken some measures towards meeting the conditions for lifting sanctions, it may be premature to lift these sanctions now. Control measures are weak, if non-existent. Until effective controls are put in place, abuse is possible and even likely".

V. Observations

46. The National Transitional Government has continued to take steps towards meeting the conditions contained in paragraphs 5, 7 and 11 of resolution 1521 (2003). With regard to the arms embargo, the conclusion of the disarmament and demobilization process and the dissolution of the armed factions signalled the successful completion of the implementation of the ceasefire agreement. Furthermore, the progress made towards organization of the October 2005 elections, as well as the progress made in other sectors, provides hope that the peace process will, in accordance with the Comprehensive Peace Agreement, be brought to a successful conclusion. However, a key condition for lifting the arms embargo and the travel ban is the full implementation of the Comprehensive Peace Agreement, which includes the holding of national elections, a new Liberian Government assuming office and the laying of the foundations for sustainable development and good governance.

47. Despite the progress made, a number of potential sources of instability threaten to undermine the success of the transitional process, including delays in the restructuring of the armed forces of Liberia and in the provision of reintegration opportunities for former combatants. I would urge Member States and the international donor community to redouble their efforts to ensure that the National Transitional Government has the necessary technical and financial support to complete this vital military restructuring exercise and to ensure the timely reintegration of former combatants. Without considerable progress on these fronts, it will be very difficult to devise a viable exit strategy for UNMIL.

48. There are several signs of progress with respect to meeting the conditions for lifting the diamond sanctions. The training and deployment of mineral inspectors and diamond agents, the organization of alluvial miners into cooperatives and the construction of a centre for appraising and certifying rough diamonds all demonstrate tangible progress towards meeting the requirements for joining the Kimberley Process certification scheme. Nevertheless, a major deterrent in ensuring that rough diamonds do not fall into the hands of those who might use the process to fuel conflict is ensuring effective Government control over diamond-producing areas and Liberia's borders. The National Transitional Government lacks the capacity to provide such control and UNMIL lacks both the mandate and the troop levels necessary to perform such a role. The Security Council might therefore consider whether it wishes to broaden the mandate and increase the resources of UNMIL to enable it to assist the National Transitional Government in providing security in the diamond and timber-producing areas.

49. With respect to meeting the conditions for lifting the timber sanctions, the National Transitional Government has not yet fully instituted the reforms required to ensure that Government revenues are used for legitimate purposes for the benefit of the Liberian people. In order to promote genuinely transparent and accountable oversight of the Liberian forestry sector, the Government should be encouraged to invite an internationally recognized forestry management team to temporarily oversee operations in the forestry sector.

50. I would like to acknowledge with appreciation the assistance provided by some Member States and international organizations to the efforts of the National Transitional Government to reform the timber industry and participate in the Kimberley Process certification scheme, and would urge those in a position to do so to provide additional support. Such assistance is vital if Liberia is to continue to make progress towards meeting the goals and objectives outlined in Security Council resolution 1521 (2003) and renewed in resolution 1579 (2004). It is hoped that, through the efforts of the National Transitional Government of Liberia, with the support of the international community, national development activities will benefit fully from the proper management and use of revenues derived from the country's natural resources.

Annex I

REPUBLIC OF LIBERIA
MINISTRY OF FOREIGN AFFAIRS
P. O. BOX 9002
CAPITOL HILL,
MORONVIA, LIBERIA.

OFFICE OF THE MINISTER

April 27, 2005

Mr. Special Representative:

I am pleased to present my compliments and wish to refer to your communication dated April 14, 2005 together with respective resolutions regarding conditions set for lifting sanctions imposed on Liberia by the Security Council.

In this regard, we hereby submit for onward transmission to the United Nations authorities the following reports from the Ministries involved:

1. Ministry of National Defense: the Arms Embargo imposed by paragraph 2 of resolution 1521 (2003) and renewed by paragraph 1 (a) of resolution 1579 (2004) (enclosure 1);

2. Ministry of Justice: the travel Ban imposed by paragraph 4 of resolution 1521 (2003) and renewed by paragraph 1 (a) of resolution 1579 (2004) (enclosure 2);

3. Ministry of Lands, Mines and Energy: the Diamond Sanctions imposed by paragraph 6 of resolution 1521 (2003) and renewed by paragraph 1 (c) of resolution 1579 (2004) (enclosure 3);

H.E. Jacques Paul Klein
Special Representative of the United Nations
Secretary General and Coordinator of UNMIL
Congo Town
Monrovia, Liberia

4. Forestry Development Authority: the Timber Sanctions imposed by paragraph 10 of resolution 1521 (2003) and renewed by 1 (b) of resolution 1579 (2004) (enclosure 4);

With renewed assurances of my highest consideration.

Sincerely yours,

Abel M. Massalay
ACTING MINISTER

Enclosure 1

MINISTRY OF NATIONAL DEFENSE
REPORT ON SANCTIONS

SUBMITTED BY

HON. DANIEL L. CHEA, SR.
MINISTER OF NATIONAL DEFENSE
MINISTRY OF NATIONAL DEFENSE
MONROVIA, LIBERIA

SUBMITED TO

HON. THOMAS Y. NIMELY
MINISTER OF FOREIGN AFFAIRS
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA

OVERVIEW

On August 18, 2003 a Comprehensive Peace Agreement was signed in Accra, Ghana by parties to the Liberian conflict. Among other things, the accord which ushered in a Transitional Government for Liberia brought an end to 14 years of hardship and human suffering for the Liberian people.

Prior to the Agreement, the United Nations had taken several steps to stop the killing and wanton destruction of lives and properties. These steps were guided by the following resolutions:-

A. Resolution 1521, paragraph 2 (2003)
B. Resolution 1579, paragraph 1 (2004)

1.0 ARMS EMBARGO

The imposition of Arms Embargo on Liberia as contained in paragraph 2 of Resolution 1521 (2003) and renewed in paragraph 1 (a) of Resolution 1579 (2004) was necessitated by the proliferation and constant flow of weapons and other related war-like materials in Liberia for the sole purpose of destroying lives and properties. The end of the 1980's saw an upsurge of violence ever unknown to the Republic of Liberia. Warring factions began springing up, a drive which engulfed the entire country by the middle of the 90's. Successive interventions, first by ECOMOG and now by UNMIL under the auspices of ECOWAS and the United Nations respectively, have brought some relief to the Liberian people. The war has ended and the warring factions have been disarmed and dissolved. The United Nations is in charge of State security throughout the length and breadth of Liberia.

However, the Arms Embargo should remain in place until a comprehensive Security Sector Reform (SSR) has taken place. Liberia's security is intertwined with the security of the sub region. In the wake of hostilities in La Cote D'Ivoire and other unstable spots, the Arms Embargo should remain firmly in place until the below conditions are fulfilled:-

A. The Restructuring of the Armed Forces of Liberia, AFL in accordance with the Comprehensive Peace Agreement signed in Accra, Ghana.

B. A total end to all regional hostilities

1.1 ***STEPS TAKEN BY THE NATIONAL TRANSITIONAL GOVERN MENT OF LIBERIA, NTGL***

A. The National Transitional Government of Liberia, NTGL under Chairman Bryant is working with other regional governments, the UN and the African Union (AU) to ensure that disarmament is carried out in a regional context.

B. The United Nations remain in charge of State security until the country's security apparatus has been successfully restructured.

C. The National Transitional Government of Liberia, NTGL is exerting every effort to source the necessary funds for the comprehensive re-structuring of the Armed Forces of Liberia, AFL.

2.0 TRAVEL BAND

The travel band was an additional measure imposed on individuals who directly or indirectly participated in the regional melee, especially the war in Liberia and neighboring Sierra Leone. The participation of these individuals ranged from utilization of State funds to fuel the conflict as well as violating UN sanctions. To date, some individuals are still justifiably on the travel band list while a few others were placed on the list because of their association with certain individuals who were violators of the above.

2.1 ***STEPS TAKEN BY THE NATIONAL TRANSITIONAL GOVDERNNMENT OF LIBERIA, NTGL***

A. The NTGL is working with the UN to ensure that the list is reviewed periodically with the view of removing the name (s) of individuals whose presence may no longer be necessary and at the same time up-dating the list where necessary.

B. The NTGL has also up-held the decision of the UN to freeze the assets of individuals who have and continue to violate the UN sanctions.

3.0 SANCTIONS ON TIMBER

The imposition of sanctions on the timber industry as per paragraph 10 of resolution 1521 (2003) and renewed by 1 (b) of resolution 1579 (2004) was indeed timely and a welcome development by both the NTGL and the Liberian people. Immediate control of Liberia's forests was imperative given that revenue from timber and other forest resources were been misappropriated by war-lords and some government officials.

Timber, prior to the imposition of sanctions, accounted for more than half of Liberia's exports and provided a ready source of cash for war-lords. Indeed, the UN Security Council sanctions on timber exports and other related forest reserves were absolutely necessary to deprive war-lords and combatants of revenue and to ensure that forest areas are brought under the effective control of UNMIL and the NTGL.

Effective control over forest areas and support for the Forest Sector Reform (FSR) including issues related to the environment are important objective and priority for the NTGL and the international community. These objectives, if achieved, will ensure that revenue generated from the sale of forest products is not used to fuel conflict.

While it is true that UNMIL and the NTGL have some control over the forest areas, the window of opportunity for securing maximum control over the sector is short, given the enormous pressure to re-open logging and, thus generate both livelihood opportunities and revenue for the Transitional process.

Accordingly, it would be prudent at this point in time to up-hold the timber sanctions until the appropriate laws have been enacted to ensure that both the revenue intake from the industry as well as reforestation policies are carefully reviewed.

3.1 **STEPS TAKEN BY THE NATIONAL TRANSITIONAL GOVERNMENT OF LIBERIA, NTGL**

A. The Transitional Government of Liberia, NTGL through the Forestry Development Authority is working with the United Nations to re-visit the laws governing the Forestry Development.

B. The Forest Sector Reform must adequately put in place

C. A democratically elected Government come October 2005 Presidential and Generai elections.

4.0 SANCTIONS ON DIAMONDS

Diamonds, one of the major mineral resources in Liberia, also provides appreciable revenue for the Liberian Government but these resources were grossly manipulated and misappropriated by fighters and some government officials during the 14 years of fratricidal war, thus subjecting the Liberian masses to abject poverty and victims of war at the expense of their natural resources. Accordingly, the imposition of sanctions on this industry by the UN was yet another positive measure to have effective control over the industry for the benefit of the Liberian masses. However, the NTGL has basically met all of the UN requirements for the lifting of sanctions on diamonds. It is therefore prudent at this time when un-employment has sky-rocketed that the sanctions on diamonds be lifted so that every Liberian as well as former fighters who have gone through the DDRR process can find some employment. Throughout the history of Liberia, there has been no mechanism to regulate mineral mining whether it is gold or diamond and because of this Liberia has several millions of dollars each year.

4.1 ***STEPS TAKEN BY THE NATIONAL TRANSITIONAL GOVERNMENT OF LIBERIA, NTGL***

A. The National Transitional Government of Liberia has established a transparent and internationally verifiable **Certificate of Origin Regime** for trade in rough diamonds.

B. The National Transitional Government of Liberia, (NTGL) has satisfied all conditions for inclusion into the **Kimberley Process,** thus making Liberia compliant.

Enclosure 2*

* The Secretariat notes that the response contained in enclosure 2 is to a request of the Panel of Experts.

Republic of Liberia

Ministry Of Justice

Monrovia, Liberia

OFFICE OF THE MINISTER

April 26, 2005

Mr. Minister:

We present compliments of the Ministry of Justice and hereby wish to transmit to Your Excellency the attached three (3) page instrument which seeks to respond to the inquiry of the United Nations Sanctions Committee.

Kind regards,

Professionally yours,

Cllr. Kabineh M. Ja'neh
MINISTER OF JUSTICE & ATTORNEY GENERAL/R.L.

Hon. Thomas Yaya Nimely
Minister of Foreign Affairs
Ministry of Foreign Affairs
Monrovia, Liberia

RESPONSE OF THE MINISTRY OF JUSTICE TO SECURITY COUNCIL SANCTIONS COMMITTEE QUESTIONAIRE

- What action has Ministry of Justice taken and contemplates to take to freeze the assets of the persons named in the assets freeze list issued under the SC resolution 1532 (2204)?

  The Ministry of Justice has filed two petitions for Declaratory Judgment against two of the persons named according to paragraphs 1 and 4(a) of Resolution 1532 (2004) before the Civil Law Court, sixth Judicial Circuit, Montserrado County. The Justice Ministry took this action when it readily identified assets of the two persons in its national pain-staking endeavors to identify all the assets contemplated in the UN Resolution. The assets so identified as a consequence of the Ministry of Justice investigations include Mr. Benoni Urey's multimillion dollars farm, situated in Careysburg, Montserrado County, as well as the forty percent (40%) shares the Ministry believes Messrs. Benoni Urey and Emmanuel Shaw jointly own in the LoneStar Communications Corporation. Following the filing of the petitions and the subsequent information to the management of Lone Star by the Minister of Justice to freeze any and all financial relations and interactions with the affected, the respondents filed a petition for a Writ of Prohibition in which they raised Constitutional issues. The matter is still pending before the Honorable Supreme Court and is expected to be heard during this (March) term, 2005. Thereafter, the Ministry of Justice will proceed consistent with the Resolution as well as the Laws of Liberia.

- Has the NTGL constituted any task force to asses the assets of these persons? If yes, the detail of the assets of each individual mentioned in the list may kindly provide to us.

  The Chairman of the National Transitional Government directed the Minister of Justice to take actions in compliance with the UNSC Resolution. The Minister of Justice who is also Chairman of the Joint Security has employed the various law enforcement units to give information that will lead to identifying the assets of the individuals listed. To date, much has not been achieved. The Minister recognizes the sophistication involved and desires to request the technical assistance of the international community in the premises.

- The Government tried to freeze the assets of two persons in one Telecom Company at a time when 3 other telecom companies were joining the competition in Liberia and Supreme Court stayed the action. What action has the NTGL taken to pursue the matter in the Supreme Court or to take preventive legal measures so that such things do not happen in future?

The Minister of Justice wrote a special letter to the Honorable Supreme Court of Liberia in which he respectfully applied during the October Term (2004) for the assignment of the case. The Ministry is informed that the case could not be heard due to previous matters on the docket of the Supreme Court. However, the Minister was able to get the assurances of the Supreme Court that the case will be amongst those to be heard shortly following the opening of the Supreme Court for the March Term, 2005.

- Has the Government frozen the bank accounts, safe deposit vaults, other financial assets and economic resources including moveable and immoveable properties of these two persons also? If yes, the details may kindly be furnished. If not, what are the reasons for delay in taking the action in this regard? Has the government not alerted these persons by only partially implementing the order?

  The Writ of Prohibition legally bars the Minister of Justice from taking action further against the two respondents/petitioners and all those "similarly situated." The idea of proceeding judicially certainly alerts those involved; but it neither erase the facts of ownership nor was there a legal way to do it without due notice as contemplated under the laws of Liberia.

- Has the Ministry identified the bank accounts of the persons listed in the assets freeze list in different banks of the country? If yes, name the Banks, locations of the branches in which the accounts are located, the amounts available in the accounts, bank statements of these accounts for the last three years etc, may kindly be provided. If not, what actions are proposed to be undertaken by the Government in this regard?

  The Government is certainly requesting international assistance in terms of the expertise to obtain all the desired information. The Ministry of Justice believes that a judicial order, as being sought by the Ministry of Justice would be nonetheless necessary in achieving the desired results.

- What kind of system is being placed to prevent these persons from selling their moveable and immoveable properties to others? Has the Government been monitoring the Sale of these properties of these persons since the assets freeze list issued by the UN?

  Those assets that can be easily identified, eg. houses, etc. the government through its law enforcement units is watching closely with the view to abort any transfer of title through legal means. Further, the Government desires to employ the international community to assist in preventing and monitoring the disposal of the assets, as it is believed that most of the assets are out of the Country.

- SC Resolution also states that all states shall also ensure that neither the assets frozen nor any other funds, other financial assets and economic

resources are made available, by their nationals or by any persons within their territory, directly or indirectly, to or for the benefit of such persons. What action has been taken by the NTGL to enforce this provision of the resolution?

The NTGL has requested all persons to reveal information relative to the assets of individuals listed in SC Resolution 1532 (2004). The Ministry of Justice has also held a special press conference in order to publicize the need for public cooperation in this information gathering exercise.

- Has the Government considered the option to taking the help of UN or any other Country for enforcing the financial sanctions?

  YES. As always indicated, the NTGL supports and welcomes any and all moves to give effect to the UNSC Resolution.

- A Czech citizen named Dalibor Kopp was arrested in Liberia on 12th January 2005 following an arrest warrant from the Czech Republic for weapons trafficking. A request for extradition was made by Czech Government to the Government of Liberia. Has the Government of Liberia considered this request and if yes, what would be the outcome and the answer?

  The Government has taken some concrete steps in the premises to aid the Czech Government. Firstly, the Minister of Justice prayed for a warrant of arrest prior to the requisition. Consequently, Mr. Kopp was kept in detention for a little over forty days, not strictly consistent with our laws. During this long detention period however, the Minister of Justice requested the Czech Government to transmit to Liberia any and all court's precepts issued in this matter. Note that Extradition Agreement or Treaty, is a mandatory legal requirement. The Ministry was of the view, that absent same as in the instance, a judicial order from a competent Court of Law of the Czech Republic, may allow the Government of the Republic of Liberia to extradite Mr. Kopp to the Czech Republic. Unfortunately, we are yet to receive such court's precepts from Czech Republic. In the mean time, Mr. Kopp is on bail consistent with our laws as the offense Mr. Kopp is charged with is also bailable in the Czech Republic.

This information is updated from time to time.

April 26, 2005.

Enclosure 3

2-IV

REPUBLIC OF LIBERIA
MINISTRY OF LANDS, MINES AND ENERGY

P.O. BOX 10-9024
1000 MONROVIA 10, LIBERIA, WEST AFRICA
TEL: (231) 226-858, FAX: (231) 226-281

OFFICE OF THE MINISTER

NTGL/JAM/218/MLM&E/'05

April 22, 2005

Ambassador Jacques Paul Klein
Special Representative of the Secretary-General and
Coordinator of the United Nations Operations in Liberia
Congo Town
Monrovia, Liberia

Your Excellency:

I have the honor to acknowledge receipt of your letter dated 14th April 2005 requesting for **assistance in obtaining information concerning progress made in meeting the conditions for lifting the sanctions currently in place concerning Liberia** and I am pleased to present an update of the activities and steps taken by the Government of Liberia in lieu of the above.

Sir, we are doing everything possible to meet up with the requirements of the Kimberley Process Certificate Scheme as a precursor to the lifting of the United Nations Security Council sanctions on Liberian rough diamonds.
The update submitted to you gives a summary of what has been done since the inception of the National Transitional Government of Liberia.

Mr. Ambassador, we request that you use your good offices to have the sanctions lifted on Liberia so that our IDPs and ex-combatants can be put back to work.

With sentiments of the highest esteem, I remain

Very truly yours,

Jonathan A. Ma
MINISTER

SUMMARY OF KPCS ACTIVITIES FOR THE LIFTING OF SANCTIONS ON LIBERIAN ROUGH DIAMONDS IN BRIEF

By Jonathan A. Mason
MINISTER OF LANDS, MINES AND ENERGY

This report gives a brief summary of the activities and steps undertaken by the National Transitional Government of Liberia to become Kimberley Process Certificate Scheme compliant and the subsequent lifting of United Nations Security Council sanctions on Liberia.

A) Compliance with UNSC Resolution 1343 and subsequent resolutions

I) Resolution 1343 (2001)

This Resolution imposed sanctions on Liberian rough diamonds and had the following specific demands:(Paragraphs 4 (a)-(d); 6; 7 (a)-(b)

a) That the Government of Liberia immediately cease its support for the RUF in Sierra Leone and other armed rebel groups in the region, and in particular take the following concrete steps:

i) expel all RUF members from Liberia, including such individuals as are listed by the UNSC Committee and prohibit all RUF activities on its territory;

ii) Cease all financial and, in accordance with Resolution 1171 (1998), military support to the RUF, including all transfers of arms and ammunition, all military training and provision of logistical and communication support, and take steps to ensure that no such support is provided from the territory of Liberia or its nationals;

iii) Cease all direct or indirect import of Sierra Leone rough diamonds which are not controlled through the Certificate of Origin regime of the Government of Sierra Leone, in accordance with Resolution 1306(2000);

iv) Freeze funds or financial resources or assets that are made available by its nationals or within its territory directly or indirectly for the benefit of the RUF or entities owned or controlled directly or indirectly by the RUF;

v) Ground all Liberia-registered aircraft operating within its jurisdiction until it updates its register of aircraft pursuant to Annex VII to the Chicago Convention on International Civil Aviation of 1944 and provides to the Council the updated

information concerning the registration and ownership of each aircraft registered in Liberia.

All the above have been accomplished by the Government of Liberia.

II) Resolution 1408 (2002)

This resolution re-imposed sanctions on Liberia with the following justification: (1) The UNSC decides that the Government of Liberia has not complied fully with the demands in paragraph 2 (i) to (V) of Resolution 1343(2001).

That the measures imposed by paragraphs 5 to 7 of Resolution 1343(2001) shall remain in force for a further period of 12 months from 00:01 Eastern Daylight Time on 7 May 2002, and that, at the end of this period, the Council will decide whether the Government of Liberia has complied with the demands referred to in paragraph 1 above, and, accordingly, whether to extend these measures for a further period with the same conditions.

III) Resolution 1478 (2003)

This Resolution again re-imposed sanctions on Liberia for the same reasons as Resolution 1408 taking effect at 00.01 May 7, 2003.

IV) Resolution 1521 (2003)

This resolution terminates some portions of Resolution 1343(2001) especially paragraphs 5, 6, and 7 and paragraphs 17 and 28 of Resolution 1478(2003) noting that the changed circumstances in Liberia, in particular the departure of former President Charles Taylor and the formation of the National Transitional Government of Liberia, and progress with the peace process in Sierra Leone, require the Council's determination for action under Chapter VII to be revised to reflect these altered circumstances.

IV) Resolution 1579 (2004)

This Resolution also re-imposed sanctions for a period of six months effective December 21, 2004.

B) The Sanctions Review Committee appointed by Chairman Bryant

On November 26, 2003 the Chairman of the National Transitional Government of Liberia (NTGL) set up a committee with membership comprised of civil society, the business community and Government to review the status of Liberia's compliance with the UNSC Resolutions and make recommendations as to the way forward.

That committee submitted its report to the Chairman on December 24, 2003.

The report recommended the following:

Recommendations

There are three priorities:

- **To provide assistance in the setting up of co-operatives with an assured route for artisanal miners from production to Kimberley Process Certification; and the possibility of hallmarked diamonds 'for development'. This should be the Governments short-term objective;**

- **To establish the parameters within which the Government can encourage investment in the mining exploration industry by serious exploration companies intending to bring in major mining investments in hard rock mineral exploration in Liberia;**

- **The provision of a supporting infrastructure based on the Ministry of Lands Mines and Energy and its**

sub-sectors in the Geological Survey and the Mines Department,

The Government must re-establish the basis on which the industry used to work and then add the extra controls now required by the Kimberley Process to ensure that the source of the diamonds entering the process is established. In parallel it should do all in its power to encourage external investment in the mineral exploration and mining industries to develop a much more vibrant and profitable sector.

C) The submission of the KPCS Act to the NTLA and its subsequent passage into law by that body

An Act legalizing the Kimberley Process Certificate Scheme in Liberia was submitted by the Legal Consul of the Ministry of Lands, Mines and Energy to the National Transitional Legislative Assembly (NTLA) in July 2004. That bill has been passed and printed into handbills.

D) The reorganization of the alluvial sector of the Liberian Mineral Industry (total ban on diamond mining activities for 2005)

i) Organization of miners into mining cooperatives

As an internal control mechanism, all alluvial miners are being organized into mining cooperatives (group of 20 to 40 miners form a cooperative and operative as a unit under Government set guidelines which govern them.)

ii) Subdivision of the country into four regions

The entire country has been subdivided into four (4) regions for effective control and monitoring. The regions include:

a) Western Region

b) Central Region

c) North Central Region
d) Southeastern Region
These regions will serve as centers for our awareness and internal control training programs.

iii) Creation of new mining agencies/districts for effective control
About 16 new Mining Agencies/Districts have been created in addition to the original 30 all for internal control purposes.

iv) Assignment of mining agents/Mineral Inspectors to mining agencies/districts
A total of 65 Mineral Inspectors and 46 Mining Agents have been assigned in the various Mining /Agencies Districts to carry out the Kimberley Process Certificate Scheme procedures for internal control.

v) Two major training seminars for the mining community in Monrovia as a precursor to internal control have taken place.
Two major seminars have also been conducted for Mining agents, Mineral Inspectors, Patrolmen and stakeholders on the KPCS.
a) Internal Control of alluvial mineral production, sales and export and awareness on the Kimberley Process Certificate Scheme
b) Artisanal mining procedures in African countries; a case study
By BRGM, France.

vi) Visit of Liberian delegation to the KPCS annual meeting in Quebec, Canada
For the first time since the imposition of sanctions on Liberia, the Government of

Liberia was officially invited to attend the KPCS Annual Conference in Quebec, Canada as observer.

A seven-man Liberian delegation attended the Canadian Conference during which a report was made to the KPCS Committee.

vii) Construction of Liberian KPCS Center in Monrovia

A modern KPCS center is being constructed to accommodate the certification process and also serve as database for mineral production, sales and export. The center will include a diamond appraisal unit, a gold appraisal unit, a conference room and offices for administrative staff of the KPCS.

viii) Collaboration and cooperation with UNMIL

There has been a very cordial working relationship between the Ministry of Lands, Mines and Energy and the United Nations Mission in Liberia (UNMIL) in the implementation of the KPCS in Liberia. Mr. Raul Carrera is the UNMIL personnel assigned to the Ministry for the liaison and cooperation that we have achieved.

a) Helicopter flights over mining districts for surveillance

In order to carry out surveillance in the mining areas of the country, since there is a ban on diamond mining, the Ministry of Lands, Mines and Energy requested UNMIL to assist with flights over areas that are suspect to illicit mining. A two-day flight to Bomi, Gbarpolu, Grand Cape Mount, Lofa and Grand Bassa and Sinoe Counties afforded the UNMIL-Ministry of Lands, Mines and Energy team to make very crucial observations. This resulted to the Ministry of Lands, Mines and

Energy dispatching Mineral Inspectors to anomalous areas to verify or halt any illicit activities.

b) Border/mining areas patrol by UNMIL and MLM&E

Amid reports of cross-border smuggling of minerals, the Ministry of Lands, Mines and Energy also requested UNMIL to assist in patrolling the accessible border areas especially the entry and exit points to curb these illicit acts and exert some level of control at each point. However, the UNMIL has not commenced such activity with the Ministry.

ix) Collaboration and cooperation with International Community in Liberia

With the positive developments in the implementation of the KPCS in Liberia, it was deemed expedient to involve the International Community in Liberia at all levels of operations and activities appertaining to a verifiable transparent implementation process.

a) Establishment of GOL-International Community KPCS Liaison Committee

The cooperation and collaboration between the Ministry of Lands, Mines and Energy and the International Community has resulted to the establishment of a working committee which has had and continues to have several working meetings in formulating the procedures for KPCS compliance; including the formation of mining cooperatives in the alluvial

sector of the mineral industry, the reorganization and restructuring of the Liberian Mineral Industry, the preparatory meetings for the visit of the KPCS Technical Review Committee, etc.

b) Progress/commitments made by the International Committee

As a result of the cooperation mentioned above, the United States Government through USAID Mission Director, Dr. Wilbur G. Thomas, has committed an initial amount of US$ 500,000.00 toward the implementation of the KPCS in Liberia.

The Chief of Party of the Liberia Community Infrastructure Program (LCIP), Mr. Mike Curry, also promised assistance in rebuilding/renovation of our regional offices in the four regions.

The UNDP Country Director, Mr. Steven Ursino, also promised assistance in the establishment of mining cooperatives.

A UNDP cooperatives expert was recently commissioned to visit Liberia to commence work on the formation of mining cooperatives.

X) Training of trainers program for internal control

In consonance with the goals and objectives of the KPCS, the Ministry of Lands, Mines and Energy has planned to carry out the following in the short term:

a) **Development of curriculum/training brochures**
b) **Two-week intensive training of trainers in Monrovia**
c) **Establishment of training centers in mining districts for subsequent training of miners and other stakeholders on internal control of mineral production, sales and export**

Xi) Precious Minerals Trading Center (PMTC)

The Ministry of Lands, Mines and Energy is proposing a one-stop center for all mineral transactions in Liberia by creating a Precious Minerals Trading Center; a Diamond/Gold House concept. Modalities are being worked out for the implementation of this concept.

Xii) Training of Trainers Workshop

In late February to early March, 2005, a two-week Training of Trainers Workshop was conducted by the Ministry of Lands, Mines and Energy to prepare Mining Agents and Mineral Inspectors for the implementation of the KPCS in the entire country. During the workshop, a total of 100 trainers received certificates. Many of these mineral technicians are now being deployed in the various counties with the help of UNMIL Helicopter airlifts.

Xiii) The UNDP involvement with mining cooperatives establishment and the concept of "Diamonds for Development"

The United Nations Development Program (UNDP) has and continues to show interest in the internal control of our diamond production, sales and export. Work programs have begun with that institution to develop the concept "Diamonds for Development" where a certain percentage of the value of the diamonds recovered from a given locality is put in escrow for development of that locality.

Xiv) Kimberley Process Certificate

The Government has concluded arrangements and printed the requisite Kimberley Process Certification Scheme Certificate unique to Liberia and this is presently stored with Mr. Mark Van Bockstael of the High Diamond Council in Belgium.
This certificate will be used when the sanctions are lifted and diamond exports commence.

Enclosure 4

REPUBLIC OF LIBERIA
FORESTRY DEVELOPMENT AUTHORITY
P.O. BOX 10-3010
1000 MONROVIA 10, LIBERIA
WEST AFRICA

Office of the Managing Director

Telephone : 888-330133
Cables : FORDA
Fax : 00231-226888-330133

April 18, 2005

Honorable Thomas Y. Nimley
Minister
Ministry of Foreign Affairs
Monrovia, Liberia

Honorable Minister:

I wish to acknowledge receipt of your communication dated 15th April 2005 requesting an update from my office on the reform measures undertaken by the Forestry Development Authority towards meeting the conditions set in UN Security Council Resolution 1579.

The FDA has worked very closely with the Liberia Forest Initiative (LFI) to ensure the necessary reforms are undertaken at the Forestry Development Authority. Mr. Bob Simpson of the United States Forest Service resides in Monrovia and heads the LFI. Mr. Simpson has been a tremendous resource to the FDA and currently heads the technical secretariat which has set May 31st 2005 as the end date for the review of all Concession Agreements under Level III Concession Review.

Along with the LFI and US Treasury Advisor the FDA has hired a new Comptroller to ensure financial accountability and transparency at the entity. The US Forest Service is also in the process of hiring a technical counterpart to the new Comptroller.

Honorable Minister, these steps should clearly raise the confidence level of the UN Security Council in ensuring that timber revenues are transparently collected and deposited in the timber revenue account also now established at the Central Bank of Liberia. There has been full deployment, at the five newly renovated Regional offices, of the Forestry Development Authority staff.

The Forestry Development Authority has imposed a ban on Pit Sawing and continues to work closely with the UNMIL authorities at various Check Points to ensure the ban is enforced.

Lately, Mr. Minister, the NTGL Chairman and the SRSG and head of UNMIL did prioritize the protection of Sapo National Park from illegal and illicit mining and plans are now underway to clear Sapo Park, our traditional Heritage.

Mr. Minister, the Forestry Development Authority has worked assiduously towards meeting the conditions set forth in the UN Security Council Resolution 1579 and has met and cooperated fully with Dr. Blundell the Timber Specialist on the UN Panel of Experts who visited the Country for a three week period.

I believe, Sir, the NTGL is ready and should continue to make an appeal to the UN Security Council to lift the Sanctions on the Timber Sector. The Sanctions have had an adverse impact on the lives of several thousand Liberians who rely on the timber industry for employment and the livelihood of their families. As Liberia moves toward restoring lasting peace and tranquility, the bedrock of sustainable peace can only be achieved if Liberians are provided the opportunity to work and rebuild their lives and communities.

Thank you very much for the opportunity to present to you this brief on the Timber Sanctions and request your support in prevailing on the UN Security Council the need to lift the Sanctions on the Timber Sector.

Kindest regards.

Sincerely yours,

D. Eugene Wilson
MANAGING DIRECTOR

Annex II

ROBERTS INTERNATIONAL AIRPORT
P.O.BOX 1
ROBERTSFIELD, LIBERIA
TEL.:(231) 228007

April 20, 2005

Ambassador Jacques Paul Klein
Special Representative of the Secretary-General and
Coordinator of United Nations Operations in Liberia
Tubman Blvd, Oldest Congo Town
Monrovia, Liberia

Your Excellency:

We present our compliments and have the pleasure to acknowledge receipt of your letter of 14, April 2005 requesting our assistance in obtaining information concerning progress made by the National Transitional Government of Liberia (NTGL) in the conditions for lifting current UN sanctions on Liberia.

While we have no particular details of steps NTGL may have taken towards the lifting of sanctions in the four categories mentioned in the UN resolutions, we are elated to be a part of this important process; designed to ensure true democracy, economic viability and genuine peace, through good governance in Liberia. It is therefore befitting that we make the following non-official comments, in respect of the sanctions:

- It is necessary, given the prevailing situation in the country – the fragility of the peace process and economic mismanagement, the sanctions must remain in place until an elected government can guarantee that it has the ability to satisfy the requirements for the lifting of the sanctions on Liberia.

- Many of the concerns raised by the Security Council that form the basis for the sanctions remain valid today, despite progress being made by UNMIL to improve the security situation in Liberia. For example, the purpose of the travel ban on certain individuals who looted the Liberian resources and treasury is to ensure that those persons are denied the opportunity to regroup elsewhere and finance another insurgency in Liberia. With their financial potential, these people still pose a significant risk to the peace process. This observation applies also to the arm embargo.

- The National Transitional Government of Liberia (NTGL) has not satisfactorily demonstrated that it has developed adequate plan for the management and

conservation of Liberia's natural resources, to include timber and minerals. Points in case are the uncontrolled pit sawing and illegal mining now going on in the Sapo National Forest. The government is unable to take positive steps to establish control over these resources now and will certainly not be able to do so when sanctions are removed.

Again, we must emphasize here that the sanctions are necessary at this critical transitional period. Amidst wide spread corruption, mismanagement and total lack of accountability and transparency, there can be no better guarantee to peace in Liberia and the protection of her natural resources for the benefit of the people than keeping the current sanctions in place.

Kindest regards.

John W. Collins, Sr.
General Manager

Annex III

ECONOMIC COMMUNITY OF
WEST AFRICAN STATES

COMMUNAUTE ECONOMIQUE
DES ETATS DE L'AFRIQUE
DE L'OUEST

Office of the Special Representative of the Executive Secretary of ECOWAS in Liberia
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Monrovia, Liberia
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19 May 2005

Your Excellency,

Thank you very much for your letter dated 18th May 2005, requesting our views on the conditions for lifting the sanctions measures currently imposed on Liberia. I regret the delay in response.

I have perused your report and am of the view that whilst the NTGL has taken some measures towards meeting the conditions for lifting sanctions, it may be premature to lift these sanctions now. Control measures are weak, if not non-existent. Until effective controls are put in place, abuse is possible and even likely.

Please accept Your Excellency the assurances of my highest consideration.

Ansumana E. Ceesay
Special Representative of the
Executive Secretary of ECOWAS in Liberia

His Excellency Mr. Abou Moussa
Officer-in-Charge
UNMIL
Congo Town
Monrovia, Liberia

United Nations S/2005/377

Security Council

Distr.: General
8 June 2005

Original: English

Nineteenth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1284 (1999), in which the Council requested me to report every six months on the return of all Kuwaiti property, including archives, seized by Iraq. The present report provides an account of the relevant developments since my last report (S/2005/233 and Corr.1) of 11 April 2005.

II. Background

2. The return of Kuwaiti property stolen by Iraq during its occupation of Kuwait has continued to be on the agenda of regional forums. The ministerial meeting of the Gulf Cooperation Council held in Saudi Arabia on 13 March 2005, among other things, underlined the importance of the return of Kuwaiti property and the national archives.

3. In a letter received by me on 9 March 2005, the Minister for Foreign Affairs of Iraq, Hoshyar Zebari, pointed out that Iraq continues the process of returning property with the best of intentions and goodwill. To that end, the Ministry of Foreign Affairs of Iraq has instructed all ministries to continue the search for documents belonging to the Kuwaiti official archives, with a view to returning them to Kuwait. The Minister stressed that a spirit of trust and cooperation between the Iraqi and Kuwaiti sides prevailed throughout the handover of books that took place on 22 November 2004.

III. Recent activities

4. There has been no progress with regard to the return of the Kuwaiti national archives, the official records of the country, in particular documents belonging to the offices of the Amiri Diwan, the Council of Ministers and the Ministry of Foreign Affairs. Kuwait considers their return essential. The High-level Coordinator, Yuli Vorontsov, has no information that the archives have been found.

5. In a letter dated 15 March 2005, the Permanent Representative of Kuwait to the United Nations advised the High-level Coordinator on the authenticity of the

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items that had been handed over to Kuwait by Iraq on 22 November 2004 (see S/2004/961). The Permanent Representative of Kuwait observed that 5,338 books had been returned to the library of the Kuwaiti National Assembly. Of that number, 4,534 books had the library seal. However, the ownership of the remaining 804 books was unknown owing to the removal of the first page, which indicated the name of the owner. Kuwait expressed appreciation to the Iraqi authorities for the return of the above-mentioned property.

6. During the reporting period, Ambassador Vorontsov has continued his efforts to expedite the return to Kuwait of spare parts belonging to Kuwait Airways Corporation, which were reportedly found on board Iraqi Airways Corporation's aircraft stationed in Tunisia. Following his conversation with the Permanent Representative of Iraq to the United Nations on 19 April 2005 and having contacted the Governments of Kuwait and Tunisia, the High-level Coordinator proposed on 27 April that the joint Kuwaiti-Iraqi mission of experts referred to in paragraph 24 of my seventeenth report (S/2004/961) travel to Tunisia in mid-May 2005. Tunisia expressed readiness to receive this mission beginning on 17 May 2005. The Permanent Representative of Kuwait to the United Nations informed the High-level Coordinator that Kuwait Airways Corporation had appointed a team of engineers and a legal expert to undertake a visit to Tunis together with an Iraqi team.

7. On 10 May 2005, the Permanent Representative of Iraq to the United Nations advised Ambassador Vorontsov that his Government attached great importance to the issue of a joint Kuwaiti-Iraqi mission of experts travelling to Tunisia to deal with the issue of spare parts reported to be on board the two Boeing-747 aircraft of the Iraqi Airways Corporation stationed in Tunisia. He stressed that the Iraqi Government was making the necessary arrangements to form a team of experts to carry out that mission. The Government of Iraq expressed its strong desire to cooperate with all parties to that end. The Permanent Representative of Iraq undertook to inform Ambassador Vorontsov once the preparations for travel have been finalized.

8. In November 2004, the head of Kuwait Airways Corporation informed Ambassador Vorontsov that several containers with spare parts belonging to Kuwait Airways Corporation had been found at the premises of the Baghdad International Airport and returned by Iraq to Kuwait. In a letter to the High-level Coordinator dated 5 May 2005, the Permanent Representative of Kuwait to the United Nations confirmed that on 26 February 2005, Kuwait Airways Corporation had received two 20-cubic-foot containers shipped by Iraqi Airways Corporation with spare parts and furniture. The number of containers received by Kuwait Airways Corporation from Iraqi Airways Corporation, including those two containers, totalled four. They contained 77,681 spare parts. However, according to the Kuwaiti side, those spare parts had no material value owing to inappropriate storage.

IV. Observations

9. It is regrettable that, more than two years after the fall of the regime of Saddam Hussein, the Kuwaiti national archives have not been found and returned to Kuwait. A resolute effort is needed to determine the fate of the archives. I have noted that the new Iraqi Government has taken steps to that end. Assistance of the

multinational force in Iraq in finding those documents is indispensable. The search activities must be intensified.

10. I welcome the agreement of the Iraqi Government to send Iraqi experts to Tunisia together with their Kuwaiti colleagues to deal with the issue of spare parts. I hope that the Iraqi team of experts will be ready to travel shortly. The willingness of Tunisia to grant its assistance to a joint Kuwaiti-Iraqi mission of experts is appreciated. Ambassador Vorontsov remains available to assist in such a mission.

11. I join the President of the Security Council in calling on all parties concerned to continue to work towards a satisfactory solution to all property aspects covered by the mandate of the High-level Coordinator. This remaining legacy of the Iraqi occupation of Kuwait should be dealt with efficiently and without delay.

United Nations S/2005/378

Security Council

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9 June 2005

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Monthly report of the Secretary-General on Darfur

I. Introduction

1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of resolution 1564 (2004), paragraph 17 of resolution 1574 (2004) and paragraph 12 of resolution 1590 (2005).

II. Insecurity in Darfur

2. My visit to Darfur during the month of May 2005 was my first to that region in nearly a year. During the visit, it was clear to me that the security situation had improved. The overall level of violence, especially against civilians, was lower than during much of 2004. In a monthly context, however, the trends are not entirely positive. For example, the month of May witnessed an increase in the level of violence and insecurity as compared to April. This was evidenced in clashes between the Government and the rebel movements, banditry, livestock thefts and the harassment of civilians and relief workers. Moreover, there were continued instances of attacks on civilians and rapes.

3. In contrast to April, fighting between the Government and the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM) was reported throughout the month of May, but the frequency of clashes increased in the second half of the month. In most cases, Government forces were on the defensive as the rebel movements conducted small-scale attacks against Government convoys or small units of army or police personnel. Of the two movements, it appeared that SLA was more often the instigator of the clashes.

4. Pro-Government militia remained active in all three Darfur states during May. While they did not launch a large-scale attack on any village, such as last month's sacking of Khor Abeche in Southern Darfur, militia members continued to attack and harass civilian populations. Small-scale assaults against villages and farms were the most common operations, and rapes of women by militia continue to be reported. There are indications, however, that the number of rapes saw a modest decrease in May due, in large part, to the increased presence of soldiers and police from the African Union Mission in the Sudan (AMIS) in and around camps for internally displaced persons.

5. Reports were also received during the period under review of Government forces operating in the same areas and at the same time as militia forces, apparently

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in pursuit of common objectives. In this regard, I must reiterate my call to the Government to disarm such tribal militia forces, as demanded by the Security Council in its resolution 1556 (2004) and subsequent resolutions. As we have seen in past months, the Government is capable of acting against the militia, especially in cases of livestock theft and other criminal acts. In order to provide the level of security that is so desperately needed in Darfur, however, the Government must move against the militia as a matter of course in all circumstances, whether their activities are criminal or military in nature, with a view to the eventual disarmament and demobilization of the militia.

6. Not only were the rebel movements more active militarily against Government forces, but both SLA and JEM attacked villages and other civilian targets. Additionally, both movements are repositioning their forces to new locations that are off limits under the terms of either the ceasefire or other ad hoc agreements. Most recently, JEM reoccupied the town of Gereida in Southern Darfur on 29 May, despite the agreement reached in February among the Government, the rebel movements and AMIS that all combatants would vacate Gereida and three other towns. Rebel movements were also increasingly obstructionist in May towards relief workers and AMIS. SLA, in particular, was involved in a number of incidents that delayed or diverted the passage of humanitarian supplies or personnel. Those incidents included the detention on 10 May of 18 members of an AMIS team for more than 24 hours by an SLA force, on the grounds that the team was engaged in espionage, before the team members were released unharmed.

7. Banditry continued to plague Darfur in May, and there are indications that those criminal acts are increasingly being committed by rebel and militia fighters, in addition to common criminals acting without a political agenda. Banditry threatens all commercial and humanitarian traffic in Darfur. The Government informed AMIS on 26 May of its intention to clear bandits by force from the Tawilla-Kebkabiya road in Northern Darfur if the attacks on vehicles did not cease. While recognizing the responsibility of the Government to maintain security along its roads, I urge it to refrain from relying on the same disproportionate tactics it employed in similar operations in late 2004 that had dire consequences for the local civilian populations.

8. The border region between Chad and Western Darfur remained a cause for concern in May, as the usual cross-border tensions were exacerbated by the traditional migration of livestock herds to grazing lands in the Sudan. The migration of nomadic groups and their herds has increased the burden on an already fragile security and economic environment and has heightened competition with local tribes, internally displaced persons and armed groups for access to scarce water supplies and grazing lands. The many small-scale clashes and acts of banditry that were reported in May underscore the increasing volatility in this region and other parts of Darfur where nomads compete with farmers for access to land and other resources. A positive development is that contrary to last year, discussions have started at various levels concerning policies to mitigate the potential conflicts resulting from this competition.

III. Humanitarian assistance and protection of civilians

9. The violence and criminal activity that took place in May had an adverse effect on humanitarian operations, temporarily limiting access to specific areas. The growing insecurity in certain areas, coupled with the onset of the rainy season, will only make the delivery of humanitarian aid that much more difficult.

10. The Jebel Marra area is becoming increasingly inaccessible to relief operations, as insecurity and the rains make road travel to most localities in rebel-held areas in this region unsafe. Helicopters are the only means to ensure access, with obvious implications for the effectiveness and cost of providing assistance to the population in need. In the Eastern Jebel Marra area (Southern Darfur), nomadic tribal militia are present in large numbers and continue to patrol the abandoned villages of Abu Jabra and Tege. This group accepted responsibility for shooting at humanitarian personnel in early May. Access by road is still possible in Government-controlled areas of Jebel Marra, despite some sporadic incidents.

11. In Northern Darfur, SLA ambushed several convoys and vehicles belonging to or engaged by humanitarian organizations along the Kabkabiya-El Fasher road. The United Nations and non-governmental organizations have subsequently engaged in discussions among themselves to re-emphasize operational principles and to improve procedures for notifying the parties of the movements of humanitarian actors.

12. During the reporting period, continued insecurity and banditry on the Ed Daein-Nyala road (Southern Darfur) seriously hampered access for humanitarian relief operations. Trucks belonging to the World Food Programme (WFP) were looted regularly by armed bandits on this road during the beginning of May, and two drivers were murdered on 8 May. In addition, during the reporting period, five non-governmental organization staff members were abducted and held for three hours by suspected SLA elements in Sanamanaga in Southern Darfur.

13. The number of persons affected by conflict and drought is still above 2.5 million, including nearly 1.9 million internally displaced persons. Aid workers in the region now number 11,500, including over 950 international staff. The international humanitarian presence has reached more than 20 locations outside the three state capitals. This coverage needs to be further consolidated and expanded if assistance and protection needs are to be addressed consistently. In April, WFP provided 30,000 tons of food supplies to 1.6 million affected people. The number of affected populations that received sustained humanitarian assistance in the life-saving sectors of food, water, sanitation, shelter, non-food items and health services has remained steady since the beginning of 2005 at roughly 60 to 75 per cent.

14. Humanitarian aid agencies continue to experience harassment by some Government authorities, especially in Kalma camp, where some Humanitarian Aid Commission representatives actively tried to limit contact between non-governmental organizations and internally displaced persons. Non-governmental organizations providing medical and other support to victims of sexual violence have proven especially vulnerable, as have non-governmental organizations perceived to be carrying out general protection of civilian activities. The authorities in Southern Darfur claim that "protection activities" constitute inappropriate political interference. Of particular concern is the filing of arbitrary and unsubstantiated charges against humanitarian workers, as well as arbitrary arrests

and detentions, such as the recent brief detention of two officials of Médecins Sans Frontières-Holland for reasons related to their organization's publication of a report on the incidence of rape in Darfur. The issue of harassment of non-governmental organizations was addressed in the last two meetings of the Subcommittee of the Joint Implementation Mechanism on Human Rights and Protection, held on 11 and 29 May. At the first meeting, the Government and the United Nations agreed to a joint mission to look into the issue.

15. The harassment of sheikhs and internally displaced persons following private meetings with high-level delegations and staff of the United Nations Mission in the Sudan (UNMIS) has also continued. During my visit to the Kalma camp on 28 May, I pressed local officials to ensure that this type of harassment and intimidation would be brought to an end. The authorities who accompanied me assured me publicly that this would indeed be the case. The Mission will actively monitor this issue.

16. As in April, May did not witness a significant improvement in the protection situation in Darfur. Reports of sexual violence against girls continue. Over the past month, 13 such attacks have been investigated by the authorities. A particularly disturbing series of reports has highlighted the selection of the youngest in a group of women for sexual attack. Police and prosecutors have acted on the most egregious cases of child rape, but many cases remain uninvestigated. Children are sometimes abducted for short periods of time, often in the course of a sexual attack, and are then released. Reports of children abducted for longer periods that came to my attention in May indicated that they were being forced into labour.

17. Violence in and around the Kalma camp came to a head during incidents on 20 and 21 May resulting in injuries to six internally displaced persons and three police officers. The camp was sealed off to the humanitarian community and was reopened on 22 May. Following those incidents, AMIS established a permanent presence in the camp. Thirty mobile police stations have been acquired by Norway for use by the African Union (AU) police and will be deployed in some 30 camps and internally displaced person concentrations by the end of June. The establishment of an AU presence in 35 more camps and internally displaced person concentrations is planned by the end of September, funding permitting.

18. Humanitarian assistance resumed in Khor Abeche after AU established a presence there following the attack and destruction of the village by militia on 7 April. In the second half of May, WFP and World Vision delivered food to 4,500 people, with non-food items to be delivered soon.

IV. Human rights

19. At the end of May, the human rights component of UNMIS consisted of 41 human rights officers, including 11 United Nations Volunteers. Three regional offices, in Nyala, El Geneina and El Fasher, are operational, and a fourth office in Zalingei is expected to open in early June. By the end of June 2005, the total deployment of human rights officers in Darfur will be 65, including 18 United Nations Volunteers.

20. In cooperation with police and other officials, human rights officers in Darfur are following Government actions regarding the protection of human rights and

ending impunity. The Government has taken some steps to investigate human rights violations and, in particular, acts of sexual violence. It has also intensified its activities in arresting perpetrators. This is a welcome result of the Government's efforts to foster tribal reconciliation, in particular in Southern Darfur. However, the Government has not taken sufficient action to end impunity. A combined range of practical, legal and procedural factors perpetuates and reinforces a climate of impunity in Darfur. Unless these factors are addressed, human rights violations will continue. The need to tackle the root causes of impunity requires intervention at every level of government, extensive legislative review and amendment and the creation of effective mechanisms and procedures to monitor the actions of the authorities.

21. The United Nations is engaging the Government in an effort to encourage it to take these measures. The Subcommittee of the Joint Implementation Mechanism held meetings on 11 and 29 May in Khartoum, bringing together representatives of UNMIS, the international community and the Government. Substantive discussions took place on specific deficiencies in the Government's policies regarding human rights protection, in particular on sexual and gender-based violence. It was agreed to continue to work jointly in a cooperative and action-oriented fashion, including the provision of technical assistance to strengthen the capacity of local authorities. On 29 May, the Government agreed to work with UNMIS to draft jointly written clarifications on Government regulations so as to enhance the protection and avoid the revictimization of survivors of sexual violence. The Government also agreed to cooperate on granting access to detention centres and on identifying mechanisms to avoid forced relocation. The Government also put forward some suggestions for technical cooperation.

V. Darfur peace process

22. The African Union announced that the next round of peace talks would be held in Abuja on 10 June. The Chairman of the AU Commission, Alpha Oumar Konaré, also announced the appointment of a senior mediator, Salim A. Salim, as the AU Special Envoy for the Inter-Sudanese Peace Talks on Darfur.

23. JEM announced its intention to attend the talks, and I have received reports indicating that SLM/A is also planning to attend. Attendance at a high level by all parties will be important to ensure that decisions taken in Abuja are implemented. As in previous sessions, the United Nations will be present in Abuja and will provide the parties and the AU mediation team with the support and assistance they request in order to facilitate the negotiations.

24. The success of the next round of talks will be crucial for the future of the Darfur political process. In July, the executive and legislative structures of the new Government of the Sudan, the Government of National Unity, are expected to be in place. A new political reality is emerging in the Sudan, which emphasizes the politics of inclusion. It is of utmost importance that Darfur be a part of this process. The next round of talks in Abuja will offer the parties a good opportunity to ensure that Darfur is included in these developments.

25. In the consultations I had in Khartoum a few days ago, the Sudanese leaders assured me that the Naivasha Agreement would serve as the model and framework for an agreement in Darfur, with arrangements for power and wealth-sharing, a land

commission and a reconciliation process. It is important now that the armed movements go to Abuja with a clear and coherent vision for a political agreement and a mandate from their supporters to negotiate a lasting and binding settlement. The AU draft framework agreement, which has been communicated to the parties in the past months, offers a good basis for a constructive and speedy agreement.

26. The political talks in Abuja should be delinked from security matters, which are addressed through the ceasefire agreement bodies and AMIS. However, an improved security situation on the ground would create an environment conducive to the holding of negotiations and would help in building trust among the parties regarding their commitment to peace. The Security Council, in its resolution 1591 (2005), has created a mechanism for addressing violations of the ceasefire and other commitments made regarding Darfur. This mechanism is a powerful tool that should deter the parties from committing such violations, especially in the lead-up to and during the talks in Abuja. The ongoing strengthening of AMIS on the ground, with the generous help of the international community, should also contribute to improving the security situation and, indirectly, to the success of talks in Abuja.

VI. African Union Mission in Sudan

27. The African Union Mission in Sudan had reached a total strength of 2,674 personnel as at 31 May. The force is composed of 1,732 force protection troops, 451 military observers, 460 civilian police and 31 international and Ceasefire Commission staff. This figure represents a gap of 646 between the Mission's deployed strength and that which was authorized in October 2004. The gap is due mainly to persistent challenges in deploying the full complement of civilian police officers (only 460 out of a mandated 815), but efforts to close the gap continue.

28. The African Union's decision in April to expand AMIS has received significant support among international donors. On 26 May, at AU Headquarters, Commission Chairman Konaré and I co-chaired a pledging conference to support the expansion of AMIS. I was pleased that Governments pledged more than US$ 291 million for this cause, a sum which should be sufficient to launch the next phase of the AMIS expansion.

29. The United Nations and the African Union have increased cooperation and coordination on operational issues related to AMIS. The key proposals contained in my report of 3 May to the Security Council on United Nations assistance to AMIS (S/2005/285) were well received by the AU, and most of them have been initiated. For example, a team from the Department of Peacekeeping Operations was sent to AU headquarters from 7 to 26 May to assist AU planners with the concept of operations for the expanded AMIS. The United Nations assistance cell to the AU, which was also fully involved in these activities, provided follow-up assistance after 26 May.

30. The importance of supporting the AU to deploy more soldiers and police to Darfur was highlighted by an AMIS success in the month of May. In the aftermath of the militia attack on Khor Abeche in April, AMIS established a permanent military observer group site in the town comprising 18 military observers and a protection force of 70 soldiers. The deployment has restored stability to what was a very volatile area of Southern Darfur and has enabled more than 2,000 residents to return to a badly damaged village to start the arduous rebuilding process.

VII. Observations

31. The announcement that the Darfur peace talks would resume in Abuja on 10 June was welcome news. After a delay of more than five months, the parties must make the most of this opportunity. To that end, the international community must encourage both sides to come to the negotiating table with serious proposals and the authority to make and implement decisions.

32. The positive news on the political front has been tempered, however, by the relative upswing in violence in all three Darfur states as compared to April. The rebel movements in particular must take responsibility for their actions over the past month. The imminent resumption of the talks and the upswing in violence may be linked. We have seen similar patterns in the past, when the parties increased the tempo of their offensive operations on the eve of a new round of political negotiations with a view to gaining a tactical advantage that can be leveraged at the negotiating table. Regardless of the rationale behind these operations, their impact on the lives of civilians is deplorable. Moreover, the violence contributes to an air of suspicion and mutual mistrust, which has made negotiations more difficult in the past. I call upon all parties to refrain from launching offensive military operations in the lead-up to the Abuja talks. They cannot allow their actions on the ground to undermine the chances of a political settlement at long last.

33. For its part, the Government must commence an effective programme of disarmament and demobilization of the tribal militias that continue to terrorize the civilian population of Darfur. As the present report makes clear, while there have been improvements in some areas, militia activity remains a serious threat to civilians, by either forcing people from their homes and preventing those who have already been chased away from returning or harassing people who are confined to camps for internally displaced persons. This must stop. If it does not, and the militias remain at large and go unpunished for their crimes, the culture of impunity that has taken hold in Darfur will become a critical obstacle to any reconciliation process and could undermine any agreement that the parties may reach.

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Security Council

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Report of the Secretary-General on the United Nations Disengagement Observer Force

(for the period from 8 December 2004 to 10 June 2005)

I. Introduction

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) during the last six months pursuant to the mandate contained in Security Council resolution 350 (1974) of 31 May 1974 and extended in subsequent resolutions, most recently resolution 1578 (2004) of 15 December 2004.

II. Situation in the area and activities of the Force

2. During the period under review, the ceasefire in the Israel-Syria sector was maintained and the area of operation of UNDOF remained generally quiet, except in the Shab'a farms area (Area 6), which experienced activity originating from the area of operation of the United Nations Interim Force in Lebanon (UNIFIL), described in my reports on UNIFIL. There were two incidents involving crossings of the ceasefire line. On 15 April, a male civilian with a shotgun crossed the line from the Syrian side and fired rounds at an Israeli military post prior to being captured and taken for investigation. He remains in Israeli custody. On 8 May, soldiers of the Israel Defense Forces crossed into the area of separation and captured a Syrian civilian, who was taken to the Israeli side for interrogation. He was released the next day.

3. UNDOF supervised the area of separation by means of fixed positions and patrols to ensure that military forces of either party were excluded from it. The Force also carried out fortnightly inspections of equipment and force levels in the areas of limitation. Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides denied inspection teams access to some of their positions and imposed some restrictions on the Force's freedom of movement. In addition, Israeli national customs officials continued to operate at the Israel Defense Forces post at the UNDOF crossing gate between Israeli-occupied Golan and the Syrian Arab Republic.

4. The Force continued to assist the International Committee of the Red Cross with the passage of persons through the area of separation. During the last six

months, UNDOF assisted in the crossing of 58 students and provided protection at one wedding. On an exceptional basis, UNDOF facilitated the transfer of 4,028 tons of apples through the area of separation from the Israeli side to the Syrian side. Within the means available, medical treatment was provided to the local population on request. UNDOF remained available to support the United Nations Children's Fund in activities to promote mine awareness among the civilian population.

5. In the area of operation, especially in the area of separation, mines continued to pose a threat to UNDOF personnel and local inhabitants. Owing to the age of the mines and their deteriorating explosives, this threat has increased. UNDOF continued to carry out operational mine clearance. During the reporting period, one UNDOF vehicle was severely damaged by unexploded ordnance; there were no injuries to UNDOF personnel.

6. The Force Commander and his staff maintained close contact with the military authorities of Israel and the Syrian Arab Republic. Both sides generally cooperated with the Force in the execution of its tasks.

7. As at 6 June 2005, UNDOF comprised 1,028 troops from Austria (373), Canada (186), Japan (30), Poland (343), Nepal (2) and Slovakia (94). National Support Elements were employed by Canada (4) and Japan (15). In addition, 57 military observers of the United Nations Truce Supervision Organization (UNTSO) assisted the Force in carrying out its tasks. The three-year modernization programme of UNDOF facilities is in the process of completion. A map showing the deployment of the Force is attached to the present report.

III. Financial aspects

8. By its resolution 58/306 of 18 June 2004, the General Assembly appropriated the amount of $40.9 million, equivalent to $3.4 million per month, for the maintenance of the Force for the period from 1 July 2004 to 30 June 2005. Should the Security Council decide to extend the mandate of the Force beyond 30 June 2005, as recommended in paragraph 13 below, the cost of maintaining the Force will be limited to the amounts approved by the Assembly.

9. As at 31 May 2005, unpaid assessed contributions to the UNDOF special account for the period from the inception of the Force to 31 May 2005 amounted to $13 million. Total outstanding assessed contributions for all peacekeeping operations as at the same date amounted to $2,028 million.

IV. Implementation of Security Council resolution 338 (1973)

10. The Security Council, while deciding in its resolution 1578 (2004) of 15 December 2004 to renew the mandate of UNDOF for a further period of six months, until 30 June 2005, also called upon the parties concerned to implement immediately resolution 338 (1973) and requested the Secretary-General to submit, at the end of the period, a report on developments in the situation and the measures taken to implement resolution 338 (1973). The search for a peaceful settlement in the Middle East and, in particular, the efforts undertaken at various levels to implement resolution 338 (1973) were dealt with in the report of the Secretary-

General on the situation in the Middle East (A/59/431), submitted pursuant to General Assembly resolutions 58/22 and 58/23 of 3 December 2003.

V. Observations

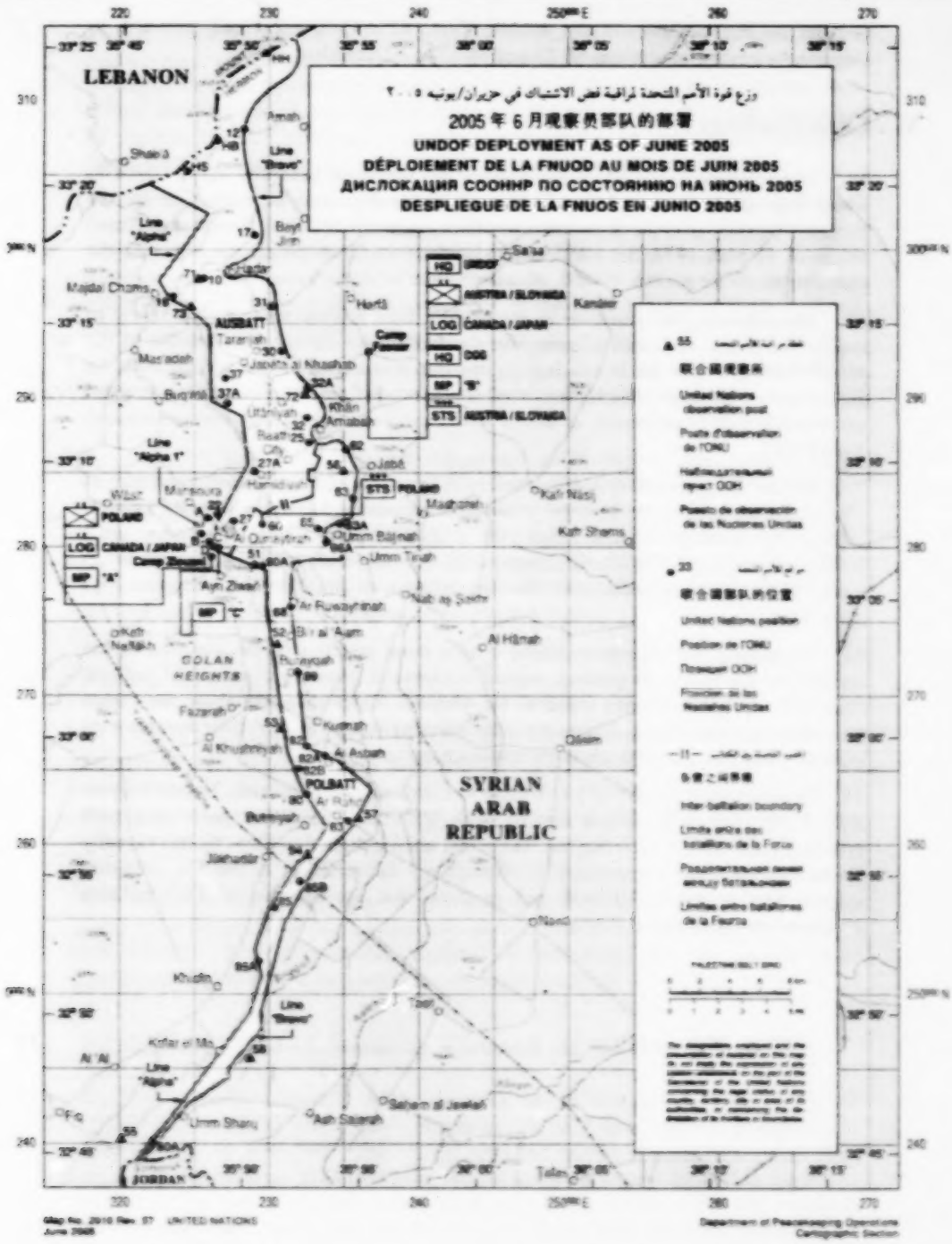
11. The situation in the Israel-Syria sector has remained generally quiet. UNDOF, which was established in May 1974 to supervise the ceasefire called for by the Security Council and the agreement on disengagement between Syrian and Israeli forces of 31 May 1974, has continued to perform its functions effectively, with the cooperation of the parties.

12. Nevertheless, the situation in the Middle East is very tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects with a view to arriving at a just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

13. Under the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 31 December 2005. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

14. In making this recommendation, I must draw attention to the shortfall in the funding of the Force. At present, unpaid assessments amount to some $13 million. This sum represents money owed to the Member States that contribute the troops who make up the Force. I appeal to the Member States to pay their assessments promptly and in full and to clear all remaining arrears.

15. In conclusion, I wish to pay tribute to Lieutenant General Bala Nanda Sharma and to the men and women serving with UNDOF. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those that provide the UNTSO military observers assigned to the Force.


LEBANON
SYRIAN ARAB REPUBLIC
JORDAN
GOLAN HEIGHTS
وزع قوة الأمم المتحدة لمراقبة فض الاشتباك في حزيران/يونيه ٢٠٠٥
2005 年 6 月观察员部队的部署
UNDOF DEPLOYMENT AS OF JUNE 2005
DÉPLOIEMENT DE LA FNUOD AU MOIS DE JUIN 2005
ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА ИЮНЬ 2005
DESPLIEGUE DE LA FNUOS EN JUNIO 2005
AUSBATT
POLBATT
HQ SECTOR
AUSTRIA / SLOVAKIA
LOG CANADA / JAPAN
HQ DOG
MP "B"
STS AUSTRIA / SLOVAKIA
STS POLAND
MP "A"
LOG CANADA / JAPAN
POLAND
MP "C"
Line "Alpha"
Line "Alpha 1"
Line "Bravo"
United Nations observation post
Position de l'ONU
Позиция ООН
Posición de las Naciones Unidas
United Nations position
Position de l'ONU
Позиция ООН
Posición de las Naciones Unidas
Inter-battalion boundary
Limite entre les bataillons de la Force
Разделительная линия между батальонами
Límites entre batallones de la Fuerza

United Nations S/2005/380

Security Council

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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999), by which the Council requested me to keep it regularly informed and to submit a report to it on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). Subsequently, in paragraph 11 of Security Council resolution 1580 (2004), the Council requested me to submit a written report to it every three months.

2. This report focuses on developments since my last report (S/2005/174 of 16 March 2005), particularly on the state of preparations for the presidential elections scheduled for 19 June 2005, which, according to the Political Transition Charter, should mark the full restoration of constitutional order.

II. Political situation

3. The period under review was dominated by the preparations for the forthcoming presidential elections in a highly polarized atmosphere, largely due to the legal controversies surrounding the eligibility of the two former Presidents, João Bernardo "Nino" Vieira and Koumba Yala, who had decided to stand for the 19 June elections.

4. Following his nomination by the Party of Social Renewal (PRS) on 26 March to run in the forthcoming presidential election, Mr. Yala filed his candidacy with the Supreme Court in spite of the provision of the Political Transition Charter of September 2003 banning his participation in political activities for five years. Mr. Yala threatened to take power by force should he be prevented from running. For his part, on returning to Guinea-Bissau on 7 April 2005 for the first time since his overthrow in a coup in 1999, Mr. Vieira was welcomed by scores of his supporters, including a section of the governing African Party for the Independence of Guinea and Cape Verde (PAIGC). Meanwhile, the level of social dissatisfaction continued to be high, as demonstrated in mid-April by a strike of teachers to protest the non-payment of salaries.

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5. During the reporting period, UNOGBIS continued to promote dialogue among national stakeholders. In particular, the Office organized a series of meetings and workshops with political parties, signatories of the Transition Charter, civil society and the media, with the assistance of skilled facilitators from both national and international non-governmental organizations. The Office will conduct a series of training workshops on negotiation and conflict management skills for major actors immediately following the presidential elections. In addition, UNOGBIS continued to encourage regular contacts between the Government and the military leadership.

6. The permanent dialogue that UNOGBIS maintains with leaders of the armed and security forces and the assistance it provides for the reconciliation process within the armed forces have helped build a reasonable degree of mutual trust, raise the awareness of the military leadership regarding its obligations and strengthen its commitment to defend the authorities of the State.

7. However, since tensions in the country remained high, I decided to appoint, on 29 April 2005, the former President of Mozambique, Joaquim Alberto Chissano, as my Special Envoy for Guinea-Bissau. His role is to facilitate the holding of peaceful and credible elections and to help bring the ongoing transition to a successful conclusion, thus leading to the restoration of constitutional order.

8. During his nine-day mission from 2 to 10 May 2005, Mr. Chissano held a series of meetings with all the actors involved in the electoral process, including the authorities of the State, other national stakeholders, the signatories of the Political Transition Charter and former Presidents Yala and Vieira. Mr. Chissano expressed to all main actors the concern of the international community about the situation in the country and the hope that Guinea-Bissau would do everything possible to hold peaceful and credible elections. He also urged all his Guinea-Bissau interlocutors to promote dialogue and to abide by the ruling of the Supreme Court on the eligibility of presidential candidates. Most importantly, my Special Envoy received an unequivocal commitment from the leaders of the armed forces that they would remain neutral in the political process and would subordinate themselves to the civilian authorities and to the rule of law.

9. On 3 May 2005, the Chief of General Staff, General Tagme Na Waie, issued a press statement reaffirming the commitment of the armed forces to respect the Constitution and not to interfere in the electoral process. A similar commitment was reflected in a statement issued by the Ministry of Defence on 16 May 2005, following a meeting between the Government and the military hierarchy.

10. In a decision announced on 18 May 2005, the Supreme Court validated the applications of 17 of the 21 candidates, including former Presidents Yala and Vieira, former Prime Ministers Francisco Fadul and Faustino Imbali, and Malam Bacai Sanha, the interim President in 1999. Although some national actors criticized the Supreme Court's ruling, stressing that it was not strictly based on interpretation of the law, but on political considerations and the fear of violence, the Court's ruling was nevertheless accepted by Guinea-Bissau society at large.

11. Mr. Chissano's mission helped calm the political climate. However, tensions arose again, on 15 May 2005, when Mr. Yala stated that the Court's decision to allow him to stand had created a constitutional power vacuum in Guinea-Bissau and that, consequently, he had decided to resume his presidential term and postpone the elections.

12. In reaction, the current authorities reaffirmed the Government's commitment to hold presidential elections as scheduled, while the Chairman of the Military Committee publicly pledged his allegiance to President Pereira Rosa. On 17 May 2005, thousands of young schoolchildren and students, led by their teachers, took part in a "march for peace", which ended peacefully. At the same time, an unauthorized demonstration of Mr. Yala's supporters later that day was dispersed by police. Similar marches for peace were held in the interior of the country.

13. I have continued to work with the leaders of the Economic Community of West African States (ECOWAS) and the African Union (AU) and encouraged them to continue efforts to help complete the ongoing transition peacefully and restore constitutional order to the country. On 21 May 2005, President Obasanjo of Nigeria and current Chairperson of the AU, President Tandja of the Niger and current Chairperson of ECOWAS, President Wade of Senegal, Prime Minister Diallo of the Republic of Guinea and the ECOWAS Executive Secretary, Mr. Chambas, visited Bissau to assess the situation in the country and to meet with key national stakeholders on the forthcoming presidential elections. The AU/ECOWAS delegation requested all candidates to play a positive role during the electoral process and accept the election results. In the meantime, the Community of Portuguese-Speaking Countries (CPLP) appointed a permanent representative for Guinea-Bissau, who was expected to arrive in the country on 10 June 2005.

14. Following Mr. Yala's reported attempt, on 25 May 2005, to occupy one of the buildings of the presidential compound, which he later denied, the President of Guinea-Bissau, the Prime Minister and the Chairman of the National Electoral Commission issued statements reaffirming their commitment to hold the elections as scheduled. An electoral needs assessment mission that I dispatched to Guinea-Bissau from 18 to 25 May 2005 concluded that the necessary technical conditions were in place for the holding of the first round of elections. At the request of the Government, UNOGBIS stands ready to coordinate between 100 and 200 international observers to ensure coverage of elections throughout the country. On 28 May 2005, the official candidates, Malam Bacai Sanha of PAIGC, Koumba Yala of PRS and Francisco Fadul of the United Social Democratic Party (PUSD), among others, began their electoral campaign in Bissau.

15. During the reporting period, UNOGBIS continued to coordinate closely with the United Nations system and the ECOWAS and CPLP executive secretariats. In particular, the Office provided logistical support to ECOWAS while it was setting up its permanent mission in Bissau and is ready to provide similar support to CPLP.

16. With regard to the funding of the 19 June elections, by the end of May, donors had committed over €2.6 million through the United Nations Development Programme (UNDP) technical assistance project and/or in direct support to the Government. The amount includes $400,000 from UNDP, €200,000 from the Netherlands, €1,500,000 from the European Commission, $500,000 from Algeria through ECOWAS, $350,000 from Portugal, $100,000 from China, €229,000 from the Central Bank of West African States, €229,000 from the West African Development Bank and €762,000 from the West African Economic and Monetary Union. Portugal provided all the electoral materials, while Brazil contributed computers and technical assistance.

17. On its part, the European Union has also committed up to €1.5 million to cover the costs of its Election Observation Mission, which is already deployed in Guinea-Bissau.

III. Economic and social aspects

18. Economic conditions remain critical, but the Government has continued to make further improvement in fiscal management. The budget deficit is now estimated at €36.9 million, including the salary arrears from 2004. On the positive side, revenue collection for the period from January to April 2005 exceeded forecasts by 70 per cent and, with the assistance of the UNDP-managed Economic Emergency Management Fund (EEMF), the salaries of civil servants for April 2005 were paid. EEMF was replenished during the period under review through contributions of €1 million from the Government of Portugal on behalf of CPLP and €500,000 from France, but the budget gap still stood at $16 million at the end of May.

19. Throughout the period under review, international financial institutions continued to be constructively engaged with Guinea-Bissau. The International Monetary Fund is scheduled to send a mission late in June to assess the ongoing Staff Monitored Programme with the national authorities. Approval of the Programme is crucial for the Government, so that the Programme can be transformed into an emergency post-conflict assistance programme.

20. As a follow-up to the World Bank high-level missions in the first quarter of this year, a World Bank pre-identification mission visited Guinea-Bissau in May 2005 in connection with the proposed $20 million credit to finance urban communications, water and energy projects. Also in May, a World Bank multidisciplinary mission visited the country to assess plans for the budgetary support, poverty assessment and infrastructure projects.

21. With regard to budgetary support, given the difficulties currently confronting the National Treasury, the European Commission decided to grant an advance on its 2005 payment under the European Commission/Guinea-Bissau fishery protocol, which represents the country's single most important source of income. This advance payment of €5 million was released on 22 April 2005 on the basis of the result of a joint European Commission/Guinea-Bissau review covering the implementation of the sectoral fisheries policy reforms and the supporting measures. The remainder of the annual contribution (€2.26 million) is due to be released in June 2005.

22. As part of the ongoing process to strengthen humanitarian coordination mechanisms, the United Nations country team requested the Office for the Coordination of Humanitarian Affairs to send an adviser to Guinea-Bissau. The adviser will work with the inter-agency working group for emergency preparedness and response to help revise the contingency plan and set up an early warning and monitoring system.

23. The World Bank has launched a three-year HIV/AIDS project for $7 million aimed at building national capacity to respond to the epidemic, reduce its spread and increase access to treatment. As part of a cooperation agreement between Guinea-Bissau and Cuba, 30 Cuban doctors and 24 Cuban-trained doctors from Guinea-

Bissau arrived in Guinea-Bissau in May and are being deployed to regions in which infant and childbirth mortality are high. Portugal signed two accords for €200,000 and €282,600 respectively, towards the rehabilitation of health and education facilities.

24. In a move to halt an epidemic of anthrax in the region of Oio in northern Guinea-Bissau at the end of April, the World Health Organization, the Food and Agriculture Organization of the United Nations and the Office for the Coordination of Humanitarian Affairs launched a coordinated appeal to partners in the West African region for an emergency vaccination campaign. The epidemic might have a disastrous effect on the economy of Oio, which depends on livestock farming.

IV. Military and security aspects

25. The process of reconciliation and reintegration of the different military factions has continued. The armed forces Commission on Reconciliation and Reintegration, set up by the Chief of General Staff, held a series of awareness-raising meetings in all regions and barracks between 28 February and 6 April 2005. UNOGBIS provided logistical support for the Commission and participated in all the meetings to promote the idea and the content of a comprehensive reform. Participants stressed the importance of reintegration and dialogue. They called for an amnesty based on justice and transparency, the reorganization and restructuring of the armed forces and the compilation of a database in preparation for a future reform. The meetings resulted in a request for further technical advice and the provision of reference materials to help the armed forces formulate concrete reform proposals.

26. There has also been some progress in completing a census in the security sector. A census conducted by the military forces in May 2005 concluded that there are 5,100 military personnel in active service. The Ministry of Public Administration has also completed two censuses of the police, border guards and customs officials based in Bissau. The sensitization exercise for officials outside Bissau is expected to resume after the election.

27. Following the formalization of arrangements to enable interested Member States to provide contributions for security sector reforms through the UNDP Thematic Trust Fund for Crisis Prevention and Recovery, an agreement was signed with the Government of Brazil for the contribution of $500,000. Discussions are under way with the Government to formulate projects that will benefit from this contribution.

28. A fact-finding mission on small arms that I dispatched to Bissau from 7 to 11 March 2005 has developed a project proposal, consisting of two main components: (a) assistance towards the establishment of a national small arms commission, which will spearhead national efforts to address the problem and will facilitate cooperation and coordination of efforts between the Government and civil society on the issue of small arms; and (b) execution of a pilot small arms collection and destruction programme in the city of Bissau. The project is also aimed at strengthening the capacity of the Government and relevant national NGOs to deal with the issue of illicit small arms. Resource mobilization for the implementation of this project is under way.

29. The level of criminality in Guinea-Bissau remains relatively low. However, seizures of illicit weapons and cocaine suggest an increase in organized crime operators. In this regard, the Police Commissioner has expressed concern about the State's lack of resources, which hampers the ability of the police to control the country's porous borders and territorial waters and to combat effectively all forms of cross-border trafficking.

V. Human rights aspects

30. The reporting period witnessed some improvement regarding civil and political rights, although the enjoyment of economic and social rights remains stifled due to the prevailing socio-economic crisis. No arbitrary detentions have been recorded for this period, and UNOGBIS continued to encourage the Ministry of Foreign Affairs to ratify a number of human rights conventions so that Guinea-Bissau can have a complete human rights plan. The Office also continued working with national human rights NGOs to promote a culture of human rights. As a result, awareness of international human rights standards has increased among both the human rights network and other participants in human rights activities.

31. UNOGBIS also continued monitoring detention centres in Bissau. Its earlier recommendations in relation to the maintenance of a register and treatment of detainees have been implemented, but the detention conditions remain poor owing to lack of funds.

32. With regard to the issue of the general amnesty for all persons involved in coups d'état from independence, in 1974, to October 2004, the National Assembly referred the matter to the Parliamentary Commission on National Reconciliation and the Committee for Legal and Constitutional Affairs. To promote a better understanding of the legal aspects of the proposed amnesty, UNOGBIS partially funded a two-day seminar organized by civil society organizations on the subject.

VI. Observations

33. Recent tensions over the preparations for the presidential elections on 19 June demonstrate that peace and stability in Guinea-Bissau remain fragile and require the continued engagement of all key national and international actors.

34. I am encouraged by the renewed commitment of the national authorities to ensure the holding of the elections on schedule. I call on all the candidates to do their utmost to ensure a peaceful election and to accept the results. I urge all national actors to continue to support efforts by the Government to meet the serious challenges confronting the country. In this connection, I wish to commend the increasingly important role of the country's network of NGOs, which has shown potential to positively influence change.

35. I welcome the process of reconciliation within the armed forces and the increasingly republican attitude adopted by the military. I also welcome the reaffirmation by the military leadership of its subordination to civilian authority and commend the initiative of the Chief of General Staff to sensitize the armed forces on the value of and need for reconciliation and military restructuring.

36. The reform of the security and public administration sectors remains a necessary condition for the promotion of sustainable peace and stability in the country. In order to facilitate such reform, it is essential to provide for staff retraining and the creation of social safety nets. In this regard, the role of the country's development partners is crucial in creating the socio-economic conditions necessary to provide these safety nets and a propitious economic environment.

37. I commend all the partners of Guinea-Bissau for their support for the country at this difficult juncture of the transition. I call on them to continue providing much-needed support to help Guinea-Bissau move towards full rehabilitation and recovery.

38. I would like to encourage AU, ECOWAS, CPLP and Guinea-Bissau's other partners to continue their critical role in promoting peace and stability in Guinea-Bissau. Together, we should convey a common message of support to the national authorities and other stakeholders in their efforts to complete the transition on schedule and to move towards lasting peace and sustainable development.

39. Guinea-Bissau continues to face tremendous political, social and economic challenges, the resolution of which requires a common vision and sense of purpose, peace and stability. To help meet these challenges, UNOGBIS and the United Nations country team have concluded the review of the United Nations comprehensive peacebuilding strategy for Guinea-Bissau, which combines peace, security and development agendas and defines activities to be implemented in support of the country's efforts to improve political dialogue, security, democratic and economic governance and resource mobilization. In this regard, I would like to encourage the Council to finalize its response to my recommendations contained in my report of 16 March 2005 (S/2005/174) to strengthen UNOGBIS and to enable it to meet the requirements of its revised mandate as set out in Security Council resolution 1580 (2004).

40. Finally, I would like to thank the staff of UNOGBIS, led by my Representative in Guinea-Bissau João Bernardo Honwana, and the entire United Nations country team for their persistent efforts, often under difficult circumstances, in support of the will of the Government and the people of Guinea-Bissau to complete the transition peacefully and restore constitutional order.

United Nations S/2005/381

Security Council

Distr.: General
10 June 2005

Original: English

Letter dated 9 June 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

In my capacity as representative of the current Chairman of the African Union, I have the honour to transmit herewith a communiqué concerning the situation in Guinea-Bissau, adopted by the 31st meeting of the Peace and Security Council of the African Union, held in Addis Ababa on 8 June 2005 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Aminu Bashir **Wali**
Ambassador
Permanent Representative of Nigeria
Representative of the Current Chairman of the African Union

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Annex to the letter dated 9 June 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the 31st meeting of the Peace and Security Council

The Peace and Security Council (PSC) of the African Union (AU), at its 31st meeting, held on 8 June 2005, adopted the following decision on the situation in Guinea-Bissau:

The Council,

1. **Takes note** of the report of the Chairperson of the Commission on the situation in Guinea-Bissau [PSC/PR/2(XXXI)];

2. **Welcomes** the progress made towards the full restoration of constitutional rule in Guinea-Bissau following the events of 14 September 2003. The Council **further welcomes** the presidential elections scheduled to take place on 19 June 2005 and the fact that the electoral campaign launched by all the candidates on 28 May 2005 has thus far been conducted in a relatively calm atmosphere;

3. **Appreciates** the efforts made by Presidents Olusegun Obasanjo of Nigeria, current Chairperson of the AU, Mamadou Tandja of the Niger, current Chairman of the Economic Community of West African States (ECOWAS), and Abdoulaye Wade of Senegal, as well as by the international community at large, to lower the tension among political parties and contribute to a climate conducive to the holding of peaceful, transparent, free and fair presidential elections;

4. **Urges** all presidential candidates and their followers to refrain from any act that may disrupt the electoral process, to commit themselves to accepting the results of the election and to address any complaints that may be filed through the mechanisms provided to that end;

5. **Welcomes** the decision of the Commission to deploy an observer mission to monitor the presidential elections of 19 June 2005;

6. **Stresses** the need for the international community to help all the parties and stakeholders in Guinea-Bissau to engage in political dialogue in a spirit of reconciliation and inclusiveness in order to enhance efforts towards peace, stability and socio-economic development and facilitate all necessary reforms in this respect;

7. **Appeals** to the AU partners and to the international community at large to continue to provide the necessary assistance to help Guinea-Bissau to meet its immediate and long-term development needs and, in that regard, **calls** for the acceleration of the preparations for the Donors Round Table Conference scheduled to be held in October 2005;

8. **Supports**, in principle, the proposal to establish an AU Liaison Office in Guinea-Bissau that would, in close collaboration with ECOWAS, the United Nations and the Community of Portuguese-Speaking Countries, support efforts to promote stability and socio-economic development and enhance democracy and respect for the rule of law and human rights. In this respect, the Council **requests** the

Commission to submit to it a more detailed proposal, elaborating the mandate of the envisaged Office and the modalities of its interaction with the other institutions represented on the ground, in Guinea-Bissau;

9. **Decides** to remain seized of the situation.

United Nations S/2005/382

Security Council

Distr.: General
14 June 2005

Original: English

United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Welcoming the report of the Secretary-General of 27 May 2005 (S/2005/353) on the United Nations operation in Cyprus,

Reiterating its call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness, and welcoming in this regard the resumption of the activities of the Committee on Missing Persons since August 2004,

Welcoming the Secretary-General's review of the United Nations Peacekeeping Force in Cyprus (UNFICYP), pursuant to resolution 1568 (2004) of 22 October 2004,

Noting that the Government of Cyprus is agreed that in view of the prevailing conditions in the island it is necessary to keep UNFICYP beyond 15 June 2005,

Taking note of the assessment of the Secretary-General that the security situation on the island continues to be stable and that the situation along the Green Line remains calm, and, nonetheless, that there were problems in a few sensitive areas, and welcoming in this context the further decrease in the overall number of incidents involving the two sides,

Welcoming the Secretary-General's intention to keep the operations of UNFICYP under close review, continuing to take into account developments on the ground and the views of the parties, and to revert to the Council with recommendations for further adjustments as appropriate to UNFICYP's mandate, force levels and concept of operation once he judges that sufficient time has passed since the implementation of UNFICYP's new concept of operations to make this assessment,

Taking note with satisfaction of the lifting of restrictions of movement of UNFICYP by the Turkish Cypriot side and the Turkish forces, and taking note in this connection that UNFICYP enjoys good cooperation from both sides,

Welcoming the fact that over seven million crossings by Greek Cypriots to the north and Turkish Cypriots to the south have taken place, and encouraging the opening of additional crossing points,

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Expressing concern at the increase in crime across the ceasefire line and urging both sides to increase cooperation in order to address this issue,

Welcoming all efforts to promote bicommunal contacts and events, including, inter alia, on the part of the United Nations, and urging the two sides to promote further bicommunal contacts and to remove any obstacles to such contacts,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of UNFICYP, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of UNFICYP for a further period ending 15 December 2005;

3. *Calls* on the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

4. *Requests* the Secretary-General to submit a report on implementation of this resolution by 1 December 2005;

5. *Welcomes* the efforts being undertaken by UNFICYP to implement the Secretary-General's zero tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action including the conduct of pre-deployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

6. *Decides* to remain seized of the matter.